

Title 126  
Procedural Rule  
West Virginia Board of Education  
Chapter 18-2  
Series 3233

Title:           Resolution of Establishment for Regional Education Service Agencies

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Section 1.     General

1.1     Scope - This legislative rule provides for the establishment of Regional Education Service Agencies.

1.2     Authority & Related Code Citation(s) - W. Va. Code 18-2-26

1.3     Filing Date - December 23, 1982

1.4     Effective Date - December 23, 1982

Section 2.     Resolution

2.1     WHEREAS the enactment of Senate Bill 183 by the 1972 Legislature authorizes the West Virginia Board of Education to establish multi-county service agencies in order to consolidate and more effectively administer existing regional education programs and in order to equalize and extend educational opportunities; and

2.2     WHEREAS the same legislation empowers the West Virginia Board of Education to make such rules and regulations as may be necessary for the effective administration and operation of such agencies; and

2.3     WHEREAS the West Virginia Code assigns to the West Virginia Board of Education, in conformity with the Constitution and laws of this State, the responsibility to determine the educational policies of the State, to make rules for carrying into effect the laws and policies of the State relating to education and such other matters pertaining to the public schools of the State as may seem to the State Board to be necessary and expedient, Therefore be it

2.4     RESOLVED that the following policy statements are adopted to govern the establishment and operation of multi-county education service agencies which shall be called "Regional Education Service Agencies."

Section 3.     Establishment

The West Virginia Board of Education hereby establishes the Regional Education Service Agencies as an integral part of the State school system.

Section 4.     Agency Cooperation

The Regional Education Service Agency, hereinafter "Agency" or "Agencies," is to provide opportunities for cooperation and coordination among county school systems within the educational regions.

Section 5.     Agency Government

5.1     Each Agency shall be governed by a board of directors consisting of the county superintendent and a board member from each participating county, but

each county shall be limited to one vote with each county board of education designating its voting member and its alternate, and one member, who shall be a voting member, appointed by the State Superintendent of Schools. Provision shall be made by the board of directors for an appropriate representation from other agencies and institutions related to the development or implementation of special regional programs, i.e., regional early childhood demonstration centers, regional teacher education centers, etc. Such representation may be accomplished through election of additional board members (voting or nonvoting) or through the establishment of advisory councils with membership that is consistent with State and/or Federal guidelines and with the policies of the board of directors. Such additional board members shall serve one-year terms, but may be reelected to successive terms.

5.2 The board of directors of each Agency shall elect a chairman from its members and provide for such other officers as it may determine are needed. All officers shall be elected for one-year terms, except that vacancies occurring during a term shall be filled for the remainder of the term.

Section 6. Federal Funding

The Agencies are established as the regional units in the State school system which provide supplementary educational services to county school systems. The Agencies are eligible to participate in and benefit from available federal funds.

Section 7. Eight RESA's

7.1 For the purpose of this resolution eight educational regions are designated as shown on the attached map.

7.2 The State Superintendent of Schools, with the approval of the West Virginia Board of Education, is authorized to establish the Agencies immediately. The establishment should be accomplished, however, during the 1972-73 school year with as little disruption of present programs and personnel as possible and with due regard for contracts and other commitments.

Section 8. Administration

8.1 The administration of each Agency shall be under the authority of an Executive Director selected and appointed by the board of directors to serve at its will and pleasure. His salary shall be determined by the board of directors. Other staff members will be appointed by the board of directors upon the recommendation of the Executive Director.

8.2 The Executive Director shall hold the minimum of a master's degree with appropriate graduate courses and shall have at least one year of experience in educational administration.

8.3 All professional staff members shall be required to hold certificates appropriate to their positions or job descriptions, as applicable.

Section 9. Housing

The location and physical housing arrangements of each Agency shall be determined by the board of directors.

Section 10. Fiscal

10.1 The fiscal agent for each Agency shall be one of the county boards of education comprising the Agency. The county board so selected shall receive and disburse funds in accordance with policies adopted by the board of directors and the West Virginia Board of Education.

10.2 The county board of education serving as the fiscal agency may not initiate action, direct the Agency's program or substitute its judgement for that of the board of directors. Control is vested in the board of directors. However, the county board of education may reject an action of the board of directors on a legal basis.

10.3 A special account will be established for Agency funds by the county acting as fiscal agent. Monthly financial reports shall be made to the board of directors.

Section 11. Participation

11.1 Any county board of education, or other agency participating in a Regional Education Service Agency, shall indicate its participation by official resolution of the governing body.

11.2 Agencies are empowered to contract with member counties, persons or other agencies to implement their objectives and purposes.

Section 12. Discontinuation

In the event an Agency is dissolved or discontinued, any furniture, equipment, supplies, etc., will be divided among the counties comprising the region, prorated according to the amount paid by each county in support of the agency.

Section 13. Responsibility

All functions of the Agencies shall be liberally construed to effectuate the intent of the enabling legislation and the rules and regulations of the West Virginia Board of Education.

Section 14. Services

14.1 Educational services to be provided to the member counties include the following:

- a. Administrative Services including, but not limited to, consultant services in program administration, educational communications, computer services and personnel services.
- b. Curricular Services including, but not limited to, provision of curricular specialists and consultants, curriculum development, inservice training of teachers and auxiliary personnel, demonstration services, experimental programs and cooperative resources acquisition.

- c. Media Services including, but not limited to, regional film library operation, educational and public television services and audiovisual production and utilization.
- d. Instructional Services including, but not limited to, psychological services, diagnostic and prescriptive services and operation of specialized programs for exceptional children.

14.2 The Agencies are responsible for making assessments of educational needs and for planning and developing multi-county programs. The programs will be developed and implemented with the approval of the county boards of education for whom the services will be performed. The Agencies will be responsible for administering regional educational programs resulting from such activities.

14.3 The Agencies are assigned the responsibility for administering existing regional education programs, insofar as is consistent with State and/or Federal law, except for multi-county programs where the attendance areas do not coincide with the established regional boundaries.

Section 15. Operation

15.1 At its initial organizational meeting and in subsequent years at a meeting held no later than February, the board of directors of each Agency shall adopt an annual basic operating budget.

15.2 The board of directors shall fix a quorum and be guided by Robert's Rules of Order.

15.3 Subject to the approval of the West Virginia Board of Education, each board of directors shall develop rules and regulations for the efficient operation of the agency.