

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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1989 MAR 24 AM 9:05
OFFICE OF THE SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

RULE TYPE: Legislative; CITE AUTHORITY 18-9A-5

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 158 (Policy No. 5750)

TITLE OF RULE BEING PROPOSED: Basic State Aid: Waiver of 34/1000 and Growth Limitation of School Service Personnel

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON May 4, 1989 AT 9:00 a.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Mrs. Carolyn Arrington

Bureau of Finance and Administration

Room B-215, Bldg. #6

Capitol Complex

Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

TITLE 126
WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-9A-5
SERIES 158
POLICY 5750

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Title: Basic State Aid: Waiver of 34/1000 and Growth Limitation of School Service personnel

Section 1. General

1.1 These rules establish regulations and procedures for receiving a waiver for the maximum ratio of thirty-four service personnel per one thousand students in adjusted enrollment and the twenty percent per year growth cap based on student population density and miles of bus routes driven.

1.2 Authority - 18-9A-5

1.3 Filing Date

1.4 Effective Date

Section 2. Definitions

2.1 The Density/Mileage Factor shall be the county's regular annual bus miles per pupil divided by the county's student population density.

2.2 Student Population Density shall be the county's second month net enrollment divided by the total square miles per county.

Section 3. Waiver for Service Personnel which Exceed the 34/1000 Limit

3.1 All counties below the state average factor for student population density and miles of regular bus routes driven shall be allowed one extra employee per 1,000 students in adjusted enrollment for each .02 that their density/mileage factor falls below the state average. No county shall receive a waiver for more employees than is allowed by the net enrollment limitation after it is adjusted for the density/mileage factor in proportion to the adjustment for the 34/1000 limit.

Section 4. Growth Limitation Waiver for Service Personnel

- 4.1 All counties below the state average factor for student population density and miles of regular bus routes driven shall receive a full waiver of the 20% growth limitation.

Section 4. Procedure

- 4.1 By September 1 of each year, counties desiring a waiver of the 34/1000 on the growth limitation of school service personnel should apply to the state superintendent. If the waiver is approved, it will be reflected in the preliminary computations for the following year.
- 4.2 No county may receive a retroactive waiver or a waiver for the current year unless there is a special appropriation from the Legislature for this purpose.
- 4.3 If partial funding is received, the funds will be prorated among the eligible counties.

Section 5. Calculation of Basic State Aid

- 5.1 The additional personnel added through the waivers shall not be counted in the basic Resources Formula for completing Step 7.