

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

FILED
1989 SEP 13 AM 9:35
OFFICE OF WEST VIRGINIA
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 WV 18-9A-5a

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: 207 (Policy 8224)

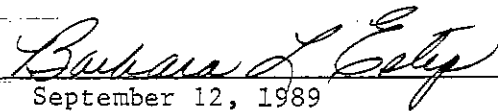
TITLE OF RULE BEING PROPOSED: Six Percent Loss Cap Waiver

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 October 25, 1989 AT 9:00 a.m.

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

Mrs. Hazel Kroesser
Bureau of Finances and Services
Room B-215, Bldg. #6
Capitol Complex
Charleston, WV 25305

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


September 12, 1989

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

TITLE 126
WEST VIRGINIA BOARD OF EDUCATION
Legislative Rule
CHAPTER 18-9A
SERIES 207
POLICY 8224

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Title: Six Percent Loss Cap Waiver

Section 1. General

- 1.1 These rules establish regulations and procedures for the six percent loss cap waiver.
- 1.2 Authority - 18-9A-5a
- 1.3 Filing Date -
- 1.4 Effective Date -

Section 2. Responsibility

- 2.1 Code §18-9A-5a provides a waiver to county school districts with losses of more than six percent of the number chargeable for the previous school year for professional educator positions or service personnel positions due to the net enrollment limits for school years 1989-90 and 1990-91. The West Virginia Department of Education is responsible for implementing the waiver procedure.

Section 3. Eligibility

- 3.1 Counties must meet the following criteria in order to be eligible for a waiver:
- 3.2 There must be a loss of more than six percent of the number chargeable for the previous school year for professional educator positions or service personnel positions due to the net enrollment limits.
- 3.3 The minimum ratio of fifty professional instructional personnel per one thousand students in adjusted enrollment for the school year beginning July 1, 1989, and fifty-one professional instructional personnel per one thousand students in adjusted enrollment for the school year beginning 1990-91 must be established and maintained.

Section 4. Granting of Waivers

- 4.1 Waivers will be determined on a case-by-case basis to the extent funds are appropriated by the Legislature for this purpose. Consideration will be given to the county's staffing pattern. If only partial funding is received, the funds shall be prorated among the eligible counties.

4.2 Any personnel position funded as a result of a waiver shall not be included in the computations for the foundation allowance for professional educators or for service personnel.

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