

R 3-27-2 Supplemental Materials and Equipment

The Preston County Board of Education shall annually set aside funds for the purchase and maintenance of instructional materials and equipment. The amount of funds available for distribution will be reviewed each year during the budget preparation process.

All instructional materials and equipment of the school system must be classified, catalogued, maintained and repaired according to approved procedures.

Constitutional Requirement to Provide Instructional Materials and Supplies

In 1995, the West Virginia Supreme Court of Appeals issued an opinion in the case of Randolph Bd. of Educ. v. Adams, 196 W.Va. 9, 467 S.E.2d 150 (1995). The case involved a challenge to the Randolph County Board of Education's imposition of a textbook user fee for non-needy school children. The Court concluded as follows:

“Whatever items are deemed necessary to accomplish the goals of a school system and are in fact an integral fundamental part of the elementary and secondary education must be provided free of charge to all students in order to comply with the constitutional mandate of a free school system pursuant to Section 1 of Article XII of the West Virginia Constitution.”

What Items are Necessary and Integral??

Aside from instructional resources, those items integral and fundamental to public education will include basic paper, basic writing utensils, and other basic items that a student must have in order to participate in a curricular offering. This list necessarily will vary from grade level to grade level and class to class and will ultimately have to be determined at the local level.

The Issue of School Supply Lists

As to the issue of supply lists, it is acceptable for teachers to provide parents with lists of items that they may wish to purchase for their own children. Lists of this nature will inform parents/guardians as to the developmentally correct supplies to buy (e.g., wide ruled paper as opposed to college ruled). Indeed, parents/guardians should be encouraged to participate in a child's education to the greatest extent possible as parental involvement is a key factor in student success at all ages. However, parents/guardians are not obligated to purchase the items on such supply lists, and no child shall be denied participation in school (or otherwise disciplined) if his or her parents/guardians choose not to purchase the items on these lists.

Performance-Based Classes

Owing to the unique nature of performance-based classes such as band, orchestra, dance, theatre, and choir, it is acceptable for teachers to request that students purchase their own equipment (such as instruments and costumes) and assume the costs of attending camps and festivals. However, no child shall be denied participation in a class because his or her parents/guardians cannot afford to do so. Counties and schools must develop contingency plans to accommodate students and families who do not have the financial means to make these purchases. For ease of communication, it is recommended that these plans be placed in writing and distributed to parents/guardians.

General Teaching Supplies and Library Resources

The Board shall annually determine an allocation for general teaching supplies and library resources which shall be distributed on a per-student basis. The school principal shall be responsible for the distribution of these funds to the various programs in his/her school.

Issuing Instructional Resources

Parents/guardians are required to complete and sign the instructional resources receipt form at the time resources are distributed.

The parents/guardians of a student who loses or destroys an instructional resource belonging to the Preston County Board of Education shall be liable for the value of the replacement resource.