

PRESTON COUNTY BOARD OF EDUCATION FILE: 4 – FACILITIES AND EQUIPMENT File: 4-16 Endnotes	Last Reviewed: 6-28-10 Next Review: 7-01-12
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ENDNOTES

File: 4 Facilities and Equipment

West Virginia State Constitution:

The several sections of Article XII require that each county provide a thorough and efficient system of free schools.

West Virginia Codes:

<u>Code</u>	<u>Topics of the Code</u>
§ 5-22-1 -----	Specifications regarding construction bids and exceptions.
§ 13-1-2 -----	Purpose for which bonds may be issued.
§ 13-1-3 -----	Amount and purpose of indebtedness for which bonds may be issued.
§ 13-1-4 -----	Bond issue proposal to be submitted to voters; election order.
§ 13-1-334 -----	Bonded indebtedness of school districts.
§ 18-5-8 -----	Condemnation of land necessary for educational purposes.
§ 18-5-10 -----	Approval by state board of plans and specifications for buildings.
§ 18-5-13 -----	Authority of boards in general.
§ 18-5-13a -----	School closing or consolidation.
§ 18-9C-4 -----	Establishment of state school building fund; contents and use of fund.
§ 18-9C-5 -----	Entitlement to counties.
§ 18-9C-6 -----	Submission of plans; approval; incentive provisions.
§ 18-9D-1 -----	School building authority; powers.
§ 18-9D-3 -----	Powers of authority.
§ 18-9D-6 -----	School building capital improvements fund in state treasury.
§ 18-9D-15 -----	Legislative intent; distribution of money.
§ 18-9D-16 -----	Facilities and major improvement plans generally; need based eligibility.
§ 54-1-1 -----	Bodies which may exercise power of eminent domain.
§ 54-1-2 -----	Public uses for which private property may be taken or damaged.

State Board Policies:

- SBP 2419 ----- Regulations for the Education Students with Exceptionalities Students
- SBP 2450 ----- Virtual Distance Learning
- SBP 2510 ----- Assuring the Quality of Education: Regulations for Education Programs
- SBP 6200 ----- Handbook on Planning School Facilities
- SBP 6204 ----- School Closings or Consolidations

Relevant Court Cases:

Pendleton Citizens for Community School V. Marockie, 507 S.E.2d 673 (1998) – Consolidation of high schools was not shown to be unconstitutional.

Board of Educ. v. West Virginia Bd. of Educ., 399 S.E.2d 31 (1990) – The state board does have the authority to review and approve closure or consolidation plans.

McComas v. Board of Educ., 475 kS.E.2d 280 (1996) – The public must be aware of and have an opportunity to contribute to a county board's decision regarding the consolidating or closing of schools.

Board of Educ. v. Campells Creek R.R., 76 S.E.2d 271 (1953) – Confirms the right of local school boards to condemn land for playgrounds and athletic fields.

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