

CHAPTER 10

10.2 BUDGET

10.2.1 General Fund Budget Divisions

The budget of Marshall County Schools shall be organized in the manner prescribed by the State Board of School Finance.

10.2.2 Permanent Improvement Fund

A county board of education may establish a special fund for county school purposes to be known as the "permanent improvement fund". The fund shall consist of:

1. Proceeds of the levy allocated to that purpose by section six-c, article eight, chapter eleven of the Code, as amended;
2. Unexpended balances of other funds transferred to the fund, with the approval of the board of finance, at the end of the fiscal year;
3. Any other monies authorized by law to be used for the purposes of the fund.

The proceeds of the fund shall be used only for the support of building and permanent improvement projects. The fund may be accumulated from year to year but monies shall not be paid into the fund so as to increase the assets of the fund to a total amount in excess of twenty-five percent of the amounts of the foundation school program for that county for the same school year.

(West Virginia Code, Chapter 18, Article 9B, Section 14)

10.2.3 Special Building Funds

The board of education of any county is authorized to create a special building fund and can transfer to it any part or all of the unexpended balance in the "permanent improvement fund" (Section 10.2.2).

County boards may use and expend the special funds (funds of 10.2.3) to construct, erect, furnish, and equip a building for educational purposes.

(West Virginia Code, Chapter 18, Article 9B, Section 14A)

10.2.4 Preparation of Budget

The responsibility for the preparation of the budget is that of the county superintendent.

This responsibility must be fulfilled prior to the statutory meeting described in Section 1.4.3.

Also see: Section 1.4.4

10.2.5 Levy Estimate - Certification and Publication

Each board of education shall, at the session between the seventh and twenty-eighth days of March (see Sections 1.4.3 and 10.2.4), if the laying of a levy has been authorized by the voters of the district under Section 1, Article Nine, Chapter Eighteen of the West Virginia Code, ascertain the condition of the fiscal affairs of the district, and make a statement setting forth the eight items as outlined in Chapter 11, Article 8, Section 12.

The secretary of the board shall forward immediately a certified copy of the statement to the tax commissioner and shall publish the statement forthwith. The session shall then stand adjourned (Section 1.4.4) until the third Tuesday in April, at which time it shall reconvene.

(Based upon West Virginia Code, Chapter 11, Article 80)

10.2.6 Public Review and Hearing

A public hearing shall be held concerning the preliminary operating budget for the next fiscal year not less than ten days after such budget has been made available to the public for inspection and within a reasonable time prior to the submission of said budget to the West Virginia Board of Education for approval and at such hearing reasonable time shall be granted to any person or persons who wish to speak regarding parts or all of such budget. Notice of such hearing shall be published as a Class I legal advertisement. Said budget document shall be made available for public review at the Administrative Offices of Marshall County Schools.

10.2.7 Submission and Approval of Budget

A county board of education shall, on or before the day fixed by the budget calendar, submit its proposed budget to the board of finance together with such supporting schedules as the board may require.

A county board shall not finally adopt its budget until after the written approval of the board of finance has been received, and the levy estimate has been approved by the tax commissioner as required by law. If the tax commissioner finds that the levy estimate, based upon the budget, does not conform to the requirements of the law, the board shall authorize and require such further revision of the budget as may be necessary for the correction of the levy estimate as required by the tax commissioner.

(West Virginia Code, Chapter 18, Article 9B, Section 6)

10.2.8 Adoption

At the continuance of the adjourned session (1.4.4 and 10.2.5) and upon receipt of written approval of the board of finance, and upon hearing no objections from the public, the county board of education may proceed to adopt its budget and lay the levy.

10.2.9 Fiscal Reports to the Board of Finance

The state board of school finance may require, and prescribe the form of, fiscal reports to be made to the board at such times and to contain such information as the board may determine.

(West Virginia Code, Chapter 18, Article 9B, Section 20)