

## Chapter 1

### Board of Education

#### 1.3 Duties of Officers

##### 1.3.1 President

The president shall preside at all meetings of the board, shall sign all warrants and drafts, and all contracts made by the board. The president shall also exercise such powers as may be delegated by the board, appoint special committees and shall act for the board in emergencies requiring action before the Board of Education can be assembled. Such action shall be reported at the next regular meeting of the board.

##### 1.3.2 Vice-President

In the absence of the president at any convened meeting of the board, the vice-president serves as president. In case of the resignation or death of the president, the vice-president automatically becomes president for the unexpired term.

If the president for any reason vacates the chair or is absent, the vice-president should take the chair unless involved in the debate or for any other reason, should disqualify himself/herself from presiding in the particular case.

If the president vacates the chair during a meeting and the vice-president is not available, the president can, subject to the approval of the board, appoint a temporary chairman who is called the chairman pro tem.

##### 1.3.3 Secretary\*

The superintendent of schools shall serve as secretary of the board. Duties as prescribed by law are:

1. Take the oath prescribed in the Constitution before performing any of the duties of office.
2. Attend all board meetings and record its official proceedings in a book kept for that purpose.
3. Record the number of each order issued, the name of the payee, the purpose for which the order was issued, and the amount thereof. Every order shall be signed by the secretary and the president of the board.
4. Care for and keep all papers belonging to the board, including evidences of title, contracts, and obligations.
5. Record and keep on file all papers and documents pertaining to the business of the board.

6. Compile such reports as required by the Board and make all reports as required by the State Superintendent of Schools. Such reports may be accompanied by explanations and comments deemed pertinent.
7. Keep the accounts and certify the reports required by law or requested by the board.
8. Administer oaths to school officers, teachers and others making reports.
9. Deliver in proper condition to successor all records and property pertaining to the office.
10. Exercise any and all other duties as are prescribed by law.

\* (W.Va. Code §18-5-25)

#### **1.3.4 Treasurer**

On or before the first Monday in May each county board of education shall upon recommendation of the county superintendent appoint a treasurer for the board. Such treasurer shall be the fiscal officer of the board, or an employee commonly designated as the person in charge of the financial affairs of the county board, or the county sheriff: Provided, that once a board of education has appointed a treasurer other than the sheriff, the sheriff shall not be named treasurer of the board in a subsequent year. Upon appointment this person shall be titled and referred to as treasurer of the board of education. For the faithful performance of this duty, a bond shall be executed, to be approved by the board of education, in the penalty to be fixed by the board of education, not to exceed the amount of school funds which it is estimated to be handled within any period of two months. The premium on such a bond shall be paid by the board of education.

Funds on hand in any account at any one time which may be more than are normally required for the payment of incurred expenses may be invested by the treasurer of the county board with the state sinking fund commission, or in guaranteed certificates of deposit issued by the depository or bank, or other guaranteed investments such as treasury bills, treasury notes or certificates of deposit issued by either the United States government or a banking institution in which federal or state guarantees are applicable. Interest earned in such investments is to be credited to the fund from which the moneys were originally available.

(W.Va. Code §18-9-6. Refer also to 3.5.4, Items 9 and 11-16 of this Manual.)

Notwithstanding any other provision of this Code, when it appears to any of the various county boards of education that funds on

deposit in its demand deposit account exceed the current requirements or demands, and it further be determined by the treasurer for such county board of education that the available interest rate offered by an acceptable depository in such treasurer's county be less than the interest rate, net of administrative fees, offered it through the state board of investments, the county board of education treasurer may, with the approval in writing of each county board of education whose funds are involved, make such funds available to the state board of investments for investment. Any county board of education treasurer may enter into an agreement with any state agency from which they receive funds to allow such funds to be transferred to their investment account with the state board of investments.

(W.Va. Code §18-9-6a. Refer also to 10.6.2.)