

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 66

(By Mr. Oldham)



PASSED March 13, 1937

In Effect 90 days from Passage

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House Bill No. 66

(By MR. OLDHAM)

[Passed March 13, 1937; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two, three and ten, article four, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter eight, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, relating to election, qualifications, removal and duties of county superintendents.

Be it enacted by the Legislature of West Virginia:

That sections one, two, three and ten, article four, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter eight, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, be amended and reenacted to read as follows:

Section 1. *Election of County Superintendents; Term.*

2 The county superintendent shall be elected by the county

3 board of education for a term of not more than four years.
4 The superintendent shall be elected on the first Monday in
5 July and take office immediately thereafter. The president of
6 the board of education, immediately upon the election of the
7 superintendent, shall certify the election to the state super-
8 intendent. The superintendent in office at the time of the
9 passage of this act shall continue in office until the expira-
10 tion of his present term.

11 *Sec. 2. Qualifications and Health Certificate.* The super-
12 intendent, at the time of his election, shall have a bachelor's
13 degree, including at least twelve hours' credit in school ad-
14 ministration and supervision, and at least five years' ex-
15 perience in public school teaching and/or supervision, within
16 the state of West Virginia.

17 The superintendent shall file with the president of the
18 board, before entering upon the discharge of his duties, a
19 health certificate from a reputable physician, on a form pre-
20 scribed by the state superintendent of schools, certifying that
21 he is physically fit for the duties of his office and that he has
22 no infectious or contagious diseases.

Sec. 3. *Removal of Superintendent.* The board may re-
2 move the superintendent from office for immorality, incom-
3 petency, insubordination, intemperance or wilful neglect of
4 duty; but the charges shall be stated in writing and the su-
5 perintendent shall be given an opportunity to be heard by
6 the board upon not less than ten days' notice: *Provided,*
7 *however,* That a superintendent so suspended, shall not for-
8 feit his salary for the period of suspension.

Sec. 10. *Duties of County Superintendent.* The county
2 superintendent shall:

- 3 (1) Act as the chief executive officer of the board, and
4 execute under the direction of the state board all its edu-
5 cational policies.
- 6 (2) Receive applications of teachers and submit them
7 to the board of education together with his recommenda-
8 tions.
- 9 (3) Assign, transfer, suspend, promote or dismiss teach-
10 ers and all other school employees of the district, subject only
11 to the approval of the board.
- 12 (4) Organize and attend district institutes; organize and
13 direct reading circles and boys' and girls' clubs.

14 (5) Close temporarily a school when conditions are detri-
15 mental to the health, safety or welfare of the pupils.

16 (6) Certify all expenditures and monthly payrolls of
17 teachers and employees.

18 (7) Be the secretary of the board and attend all meetings
19 of the board or its committees, except when his tenure, sal-
20 ary or administration is under consideration.

21 (8) Administer oaths and examine under oath witnesses
22 in any proceedings pertaining to the schools of the district,
23 and have the testimony reduced to writing.

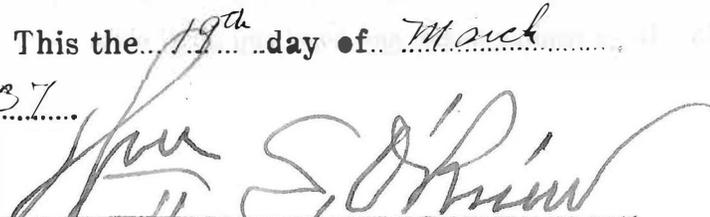
24 (9) Exercise all other authority granted by this chapter
25 or required by the board or state board.

26 (10) Act in case of emergency as the best interests of the
27 schools demand.

I certify that the foregoing act,
having been presented to the Governor for
his approval, and not having been returned
by him to the House of the Legislature in
which it originated within the time pre-
scribed by the constitution of the state, has
become a law without his approval.

This the 19th day of March

1937


SECRETARY OF STATE

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the.....

Takes effect..... passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within..... this the.....

day of....., 1937.

.....
Governor.