

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1941



## ENROLLED

HOUSE BILL No. 104

(By Mr. percy d Logan)



PASSED march, 6, 1941

In Effect from Passage

104

**ENROLLED**

**House Bill No. 104**

(By MR. PERRY, of Logan)

[Passed March 6, 1941; in effect from passage.]

AN ACT to amend article seven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, by repealing all of sections sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two; by repealing sections twenty-three, twenty-four, twenty-five, twenty-six and twenty-seven, and substituting and enacting in lieu thereof five new sections bearing these same numbers; by adding and enacting a new section to be designated as section twenty-seven-a; and by amending and reenacting sections thirty, thirty-one and thirty-two, relating to the certification of teachers.

*Be it enacted by the Legislature of West Virginia:*

That all of sections sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two, article seven, chapter eighteen of the code of West Virginia, one thousand nine hun-

dred thirty-one, as last amended, are hereby repealed; that sections twenty-three, twenty-four, twenty-five, twenty-six and twenty-seven of said article and chapter are repealed, and five new sections bearing these same numbers are hereby substituted and enacted in lieu thereof; that a new section designated as section twenty-seven-a is hereby enacted; and that sections thirty, thirty-one and thirty-two are hereby amended and reenacted to read as follows:

**Article 7. Teachers.**

Section 23. *Authority of State Superintendent of Free Schools to Issue Certificates.*—The state superintendent of free schools shall have authority to issue certificates valid in the public schools of the state, in accordance with standards and requirements approved by the state board of education.

Sec. 24. *Elementary School Certificates.*—Certificates valid in the elementary schools are authorized to include:

(1) First class elementary certificates, valid for five years, issued to college graduates who complete a required curriculum in an approved institution.

- 7 (2) Provisional elementary certificate, valid for one year,  
8 issued to college graduates who complete a required  
9 curriculum in an approved institution.
- 10 (3) Second class elementary certificate, valid for four  
11 years, issued to persons who complete a required  
12 curriculum of ninety-six semester hours in an ap-  
13 proved institution.
- 14 (4) Third Class elementary certificate, valid for three  
15 years, issued to persons who complete a required  
16 curriculum of sixty-four semester hours in an ap-  
17 proved institution, issuance to begin with the series  
18 of 1943.
- 19 (5) Standard normal certificate, valid for five years, is-  
20 sued to persons who complete a required curriculum  
21 of sixty-four semester hours in an approved institu-  
22 tion: *Provided*, That the issuance of the normal cer-  
23 tificate as such will be discontinued at the end of  
24 the 1942 series.

Sec. 25. *High School Certificates*.—Certificates valid in  
2 high schools are authorized to include:

- 3 (1) First class high school certificate, valid for five years,

4 issued to college graduates who complete a required  
5 curriculum in an approved institution.

6 (2) Provisional high school certificate, valid for one year,  
7 issued to college graduates who complete a required  
8 curriculum in an approved institution.

9 High school certificates, as above described, shall be  
10 valid in the junior and senior high schools of the state.  
11 High school certificates may be used in the elementary  
12 schools, provided the holders have had one full year or  
13 more teaching or principalship experience in the ele-  
14 mentary grades prior to one thousand nine hundred  
15 thirty-four. In all such cases, the teacher or principal  
16 shall file with his certificate a certified statement of  
17 elementary experience to meet the above requirements.

*Sec. 26. Certificates Valid in Both Elementary and High*  
2 *Schools.*—Certificates valid in both elementary schools  
3 and high schools are authorized to include:

4 (1) First class public school certificate, valid for five  
5 years, issued to college graduates who complete a  
6 required curriculum in an approved institution.

7 (2) Provisional public school certificate, valid for one

8 year, issued to college graduates who complete a re-  
9 quired curriculum in an approved institution.

10 (3) First class special nonacademic certificate, valid for  
11 five years, issued to college graduates who complete  
12 a required curriculum in an approved institution.

13 (4) Provisional special nonacademic certificate, valid for  
14 one year, issued to college graduates who complete a  
15 required curriculum in an approved institution.

16 (5) Special nonacademic permit, valid for one year, is-  
17 sued to persons who complete a required curriculum  
18 of sixty-four semester hours in an approved institu-  
19 tion.

Sec. 27. *Administrative Certificates.*—Administrative

2 certificates are authorized to include:

3 (1) County superintendents certificate, valid for five  
4 years, issued upon completion of a master's degree  
5 in an institution approved to give graduate work, pro-  
6 vided the requirements of the state board of educa-  
7 tion are met.

8 (2) Elementary principals certificate, valid for five years,  
9 issued upon completion of a master's degree from

10 an institution approved to give graduate work in  
11 elementary education, provided the requirements of  
12 the state board of education are met.

13 (3) High school principals certificate, valid for five years,  
14 issued upon completion of a master's degree from an  
15 institution approved to give graduate work in sec-  
16 ondary education, provided the requirements of the  
17 state board of education are met.

Sec. 27-a. *Certificates to be Issued With Approval of*  
2 *State Board of Education.*—Other certificates, valid in the  
3 public schools, are authorized to be issued by the state su-  
4 perintendent with the approval of the state board of edu-  
5 cation.

Sec. 30. *Certificate Renewals.*—All first class certificates,  
2 valid during the school year one thousand nine hundred  
3 forty and one thousand nine hundred forty-one, and all  
4 such certificates issued thereafter, shall be renewable  
5 subject to the following conditions:

6 (1) Application is made prior to October one of the fifth  
7 year following expiration.

8 (2) Six semester hours approved credit are completed

9        within the five-year period immediately preceding the  
10        date of application for renewal.

11        Holders of first class certificates who do not apply for  
12        renewal within five years from date of expiration shall  
13        be granted renewals under the following conditions:

14        (1) Application is made prior to October one of the  
15        tenth year following expiration.

16        (2) Twelve semester hours approved credit are com-  
17        pleted following the expiration of the certificate, six  
18        hours of which must be earned during the five-year  
19        period immediately preceding the date of applica-  
20        tion for renewal.

21        Provisional certificates, and certificates not requiring  
22        college graduation, valid for the school year of one thou-  
23        sand nine hundred forty and one thousand nine hun-  
24        dred forty-one, or any year thereafter, shall be renewable  
25        for the numbers of years for which the original certificate  
26        was issued, provided the application is made by October  
27        one of the third year following expiration of the certifi-  
28        cate and the applicant shall have earned, after the issu-  
29        ance of the certificate to be renewed, six semester hours of



30 approved work in an accredited college and meets other  
31 requirements of the state board of education.

32 At the end of the second renewal period, the holder of  
33 a five-year certificate shall receive a similar certificate  
34 valid for life, provided the holder has complied with the  
35 renewal requirements mentioned above for each five-year  
36 period.

37 Persons with five years' experience who meet the re-  
38 quirements for any first class certificate and hold a mas-  
39 ter's degree shall, upon application, be granted a certifi-  
40 cate valid for life.

41 Persons holding life certificates of any type who meet  
42 the requirements for first class certificates as defined  
43 by this act and complete eighteen semester hours of gradu-  
44 ate credit shall, upon application, be issued a certificate  
45 of the same class and grade valid for life.

46 Each application for renewal shall be accompanied by  
47 a recommendation from the county superintendent where  
48 the applicant last taught or resides.

49 If the applicant seeking renewal has cause to believe  
50 that his county superintendent refuses to give a recom-

51 mendation without just cause, he shall have the right in  
52 such cases to appeal to the state superintendent of  
53 schools.

Sec. 31. *Certificate Fees.*—The fee for the issuance or  
2 renewal of any certificate shall be one dollar.

Sec. 32. *Revocation of Certificates.*—The state superin-  
2 tendent may, after ten days' notice and upon proper evi-  
3 dence, revoke the certificates of any teacher for drunken-  
4 ness, untruthfulness, immorality, or for any physical,  
5 mental or moral defect which would render him unfit for  
6 the proper performance of his duties as a teacher, or for  
7 any neglect of duty or refusal to perform the same, or  
8 for using fraudulent, unapproved, or insufficient credit,  
9 or for any other cause which would have justified the  
10 withholding of a certificate when the same was issued.

11 It shall be the duty of any county superintendent who  
12 knows of any immorality or neglect of duty on the  
13 part of any teacher to report the same, together with all  
14 the facts and evidence to the state superintendent for  
15 such action as in his judgment may be proper.

16 If a certificate has been granted through an error, over-

17 sight, or misinformation, the state superintendent of  
18 schools shall have authority to recall the certificate and  
19 make such corrections as will conform to the require-  
20 ments of law and the state board of education.

21 Sections sixteen, seventeen, eighteen, nineteen, twenty,  
22 twenty-one and twenty-two, article seven, chapter eigh-  
23 teen of the code of West Virginia, one thousand nine hun-  
24 dred thirty-one, as last amended, are hereby repealed,  
25 and all acts and parts of acts inconsistent with this act are  
26 hereby repealed.

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

E. H. McRown

Chairman Senate Committee

Leon Rice

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Arthur Watkins

Clerk of the Senate

J. P. Aliff

Clerk of the House of Delegates

Byron B. Randolph

President of the Senate

Malcolm Arnold

Speaker House of Delegates

The within approved this the 14<sup>th</sup>  
day of March, 1941.

Matthew M. Neely

Governor.

Filed in the office of the Secretary of State  
of West Virginia.

MAR 17 1941  
Wm. S. O'BRIEN,  
Secretary of State