

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957

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## ENROLLED

SENATE BILL NO. 70

(By Mr. Traubart and Swenmjen)

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PASSED Feb 13, 1957

In Effect 90 days Passage



**ENROLLED**  
**Senate Bill No. 70**

(By MR. TRAUBERT AND MR. SWEARINGEN)

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[Passed February 13, 1957; In effect ninety days from passage]

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AN ACT to repeal sections twenty-five, twenty-six, twenty-seven and twenty-seven-a, article seven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to amend and reenact sections fifteen, twenty-three, twenty-four, thirty and thirty-a of said article, and to amend said article by adding thereto a new section, designated section thirty-b, all relating to the licensing of teachers and school administrators.

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

That sections twenty-five, twenty-six, twenty-seven and twenty-seven-a, article seven, chapter eighteen of the code of

West Virginia, one thousand nine hundred thirty-one, as amended, be repealed, and that sections fifteen, twenty-three, twenty-four, thirty and thirty-a be amended and reenacted, and that a new section, designated section thirty-b, be added to said article, to read as follows:

Section 15. *Teacher Certification; General Qualifications*

2 *and Requirements.*—No person employed as a teacher  
3 in the free schools of this state shall receive for such  
4 services any part of any free school funds who does not  
5 hold a valid teaching certificate licensing him to teach  
6 in the public schools for the period of his employment  
7 and showing the grade levels and subject areas in which  
8 he is qualified to teach: *Provided, That* if a teacher is  
9 employed in good faith on the anticipation that he is  
10 eligible for a certificate and it is later determined that  
11 he was not eligible, the state superintendent of schools  
12 may authorize payment by the county board of education  
13 to the teacher for a time not exceeding one school month.  
14 All certificates shall expire on June thirtieth of the last  
15 year of their validity irrespective of the date of issu-  
16 ance. Under no circumstances shall a certificate to teach

17 be granted to any person who is not a citizen of the  
18 United States, is not of good moral character and physic-  
19 ally, mentally and emotionally qualified to perform the  
20 duties of a teacher and who has not attained the age of  
21 eighteen years on or before the first day of October of  
22 the year in which his certificate is issued; except that  
23 an exchange teacher from a foreign country shall not  
24 be required to be a citizen of the United States. The  
25 term teacher as used in this section is intended to  
26 include the classroom teacher, school librarian, school  
27 principal, school superintendent, assistant superinten-  
28 dent, supervisor of instruction and other persons em-  
29 ployed in similar positions.

Sec. 23. *Authority of State Superintendent of Free*  
2 *Schools to Issue Certificates; Kinds of Certificates.*—The  
3 state superintendent of free schools shall have authority  
4 to issue certificates valid in the public schools of the  
5 state in accordance with standards and requirements  
6 approved by the state board of education. Certificates  
7 authorized to be issued include:

8 A professional certificate for teaching in the public

9 schools may be issued for a five-year period to the holder  
10 of a bachelor's degree from an approved institution of  
11 higher education, in which case, the certificate shall be  
12 endorsed for teaching in the elementary or secondary  
13 schools or both in accordance with an approved program  
14 completed by the applicant. A professional certificate for  
15 teaching in the public schools may be issued provision-  
16 ally, in which case, it shall be valid for a three-year  
17 period.

18 Professional certificates, as provided by this act, shall  
19 be valid for teaching in grades one through nine, or seven  
20 through twelve, or one through twelve, or in any other  
21 combination of grades approved by the state board of  
22 education, in accordance with the program of collegiate  
23 training completed.

24 A professional administrative certificate may be issued  
25 for a five-year period to an applicant who has completed  
26 the requirements for a master's degree in an institution  
27 of higher education approved to give graduate training,  
28 in which case, the certificate shall be endorsed in ac-

29 cordance with an approved program completed by the  
30 applicant.

31 Other certificates or teaching permits valid in the pub-  
32 lic schools are authorized to be issued by the state super-  
33 intendent of free schools, with the approval of the state  
34 board of education, as warranted by conditions and the  
35 changing needs of education.

*Sec. 24. Validity of First Class Certificates Previously*

2 *Issued.*—First class high school certificates, issued prior  
3 to the effective date of this act, shall be valid in grades  
4 seven through twelve. First class elementary certificates,  
5 issued prior to the effective date of this act, shall be valid  
6 in grades one through nine. Public school certificates  
7 issued prior to the effective date of this act shall be valid  
8 in grades one through twelve.

9 First class high school certificates, issued prior to the  
10 effective date of this act, shall be valid in the elementary  
11 schools provided the holder has had one full year or  
12 more of teaching or principalship experience in the ele-  
13 mentary grades prior to July one, one thousand nine  
14 hundred thirty-four. In all such cases, the teacher or

15 principal shall file with his certificate in the office of the  
16 county superintendent of schools a certified statement  
17 of elementary experience to meet the above require-  
18 ment.

Sec. 30. *Certificate Renewals and Permanent Certifica-*  
2 tion.—Any certificate based on a bachelor's degree and val-  
3 id for a five-year period which was originally issued in the  
4 school year of one thousand nine hundred thirty-three  
5 and one thousand nine hundred thirty-four, or any such  
6 certificate issued thereafter, shall be renewable for the  
7 period designated on the original certificate, provided  
8 the holder: (1) Files application on a prescribed form  
9 with the state department of education; (2) presents an  
10 official transcript of six semester hours of approved credit,  
11 as may be prescribed by the state board of education,  
12 completed after the beginning of the period of validity  
13 of the certificate to be renewed and within the five-year  
14 period immediately preceding the date of application for  
15 renewal; and (3) submits the recommendation of the  
16 county superintendent of schools of the county in which  
17 he last taught or resides. The third renewal becomes a  
18 permanent certificate.

19 Any certificate based on a bachelor's degree which is  
20 issued for a five-year period and valid or renewable in  
21 the school year one thousand nine hundred fifty-six and  
22 one thousand nine hundred fifty-seven, or any such cer-  
23 tificate issued thereafter, shall be made permanent pro-  
24 vided the holder: (1) Files application on a prescribed  
25 form with the state department of education; (2) presents  
26 an official transcript showing the completion of the re-  
27 quirements for a master's degree at an institution of  
28 higher education approved to give graduate training per-  
29 tinent to the improvement of public school teachers, or  
30 completes the fifth year of training leading to a bachelor's  
31 degree in library science from a school fully approved  
32 by the American library association; (3) submits a recom-  
33 mendation based on successful teaching experience from  
34 the county superintendent of schools of the county in  
35 which he last taught or resides; and (4) submits evidence  
36 of five years' teaching experience.

37 Any certificate not requiring college graduation or any  
38 certificate issued for less than a five-year period which is  
39 valid or renewable in the school year one thousand nine

40 hundred fifty-six and one thousand nine hundred fifty-  
41 seven, or any such certificate issued thereafter, shall be  
42 renewed for the period designated on the original certifi-  
43 cate provided the holder: (1) Files application on a  
44 prescribed form with the state department of education  
45 before September one of the third year following the  
46 expiration of the certificate; (2) presents an official tran-  
47 script of six semester hours of credit, as may be pre-  
48 scribed by the state board of education and completed  
49 after the beginning of the period of validity of the certi-  
50 ficate to be renewed; and (3) submits the recommenda-  
51 tion of the county superintendent of schools of the county  
52 in which he last taught or resides. The normal certificate  
53 based on two years of collegiate preparation which was  
54 discontinued with the one thousand nine hundred forty-  
55 two series is subject to all regulations contained in this  
56 paragraph except that the third renewal becomes a  
57 permanent certificate.

58 A person who has reached the age of sixty and holds a  
59 renewable certificate, as provided in this section, need

60 not present renewal credit but shall meet all other re-  
61 newal requirements.

62 A person holding a permanent certificate of any type  
63 who meets the requirements for a professional certificate  
64 and completes eighteen semester hours of approved gradu-  
65 ate credit shall, upon application, be issued a permanent  
66 professional certificate provided he is recommended by  
67 the county superintendent of the county in which he  
68 last taught or resides.

69 If the applicant seeking renewal has cause to believe  
70 that his county superintendent refuses to give a recom-  
71 mendation without just cause, he shall have the right, in  
72 such case, to appeal to the state superintendent of schools  
73 whose responsibility it shall be to investigate the matter  
74 and issue a certificate if, in his opinion, the county super-  
75 intendent's recommendation was withheld arbitrarily.

Sec. 30-a. *Certification of Teachers Serving in the Armed*  
2 *Forces of the United States.*—A certificate held by a  
3 member of the armed forces of the United States shall  
4 not expire prior to June thirtieth of the year following

5 his or her honorable discharge provided the certificate  
6 was valid at the time of entry into the armed forces.

Sec. 30-b. *Validity of Present Certificates.*—Nothing in  
2 this act shall be construed or interpreted in such way as  
3 to invalidate or in any manner change or shorten the  
4 validity period of certificates in force on the effective  
5 date of this act.

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

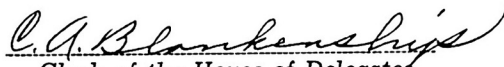
  
Chairman Senate Committee

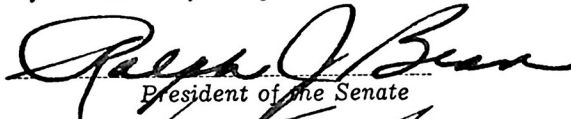
  
Chairman House Committee

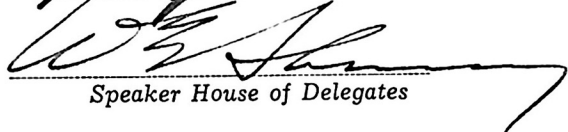
Originated in the Senate.

Takes effect 90 days from passage.

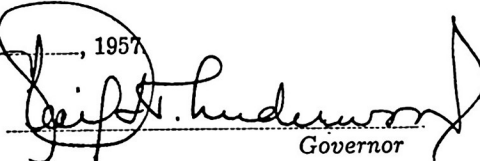
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within approved this the 23rd  
day of February, 1957

  
Governor



**Filed in the Office of the Secretary of State**  
**West Virginia** **FEB 25 1957**