WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED

SENATE BILL NO. 307

(By Mr. Palumbo)

PASSED March 1, 1974

In Effect ninety days from Passage

FILED IN THE OFFICE OF
EDOAR D. HEISKELL III
SECRETARY OF STATE
THIS DATE 3-11-74
AN ACT to amend article seventeen, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto two new sections, designated sections eight and nine, relating to continuing contract status for teachers and nonteaching personnel at schools for the deaf and blind; dismissal and suspension procedures.

Be it enacted by the Legislature of West Virginia:

That article seventeen, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto two new sections, designated sections eight and nine, to read as follows:

ARTICLE 17. WEST VIRGINIA SCHOOLS FOR THE DEAF AND THE BLIND.

§18-17-8. Continuing contract status established; dismissal and suspension procedures.

1 Before entering upon their duties, all teachers shall execute a contract with the state board of education, which contract shall state the salary to be paid and shall be in the form prescribed by the state superintendent of schools.

2 Every such contract shall be signed by the teacher and by the president and secretary of the state board of education.

3 A teacher’s contract, under this section, shall be for a term of not less than one nor more than three years; and if, after three years of such employment, the teacher who holds a professional certificate, based on at least a bache-
lor's degree, has met the qualifications for the same, and
the board of education enter into a new contract of em-
ployment, it shall be a continuing contract.

Notwithstanding any other provisions of law, the state
board of education may suspend or dismiss any teacher
subject to the provisions of this article, with continuing
contract status, for immorality, incompetency, cruelty,
insubordination, intemperance or willful neglect of duty,
but the charges shall be stated in writing and the teacher
affected shall be given an opportunity to be heard by the
state board upon not less than ten days' written notice,
which charges and notice shall be served on the teacher
within five days of the presentation of the charges to the
state board. The hearing may be held at a regular meeting
of the state board or at a special meeting called for that
purpose.

§18-17-9. Employment of auxiliary and service personnel, dis-
missal and suspension procedures.

The state board is authorized to employ such auxiliary
and service personnel as is deemed necessary for meeting
the needs of the schools for the deaf and blind. Before
entering upon their duties such personnel shall execute
with the board a written contract which may be in a
letter form and shall state the classification and terms of
work, the employment period and pay, and shall certify
that said employment has been made a matter of minute
record. The letter shall provide space for an acceptance
provision and shall be signed and returned to the board by
the employee, or otherwise he shall forfeit his right to
employment.

After three years of acceptable employment each
auxiliary and service personnel, at the end of his con-
tractual period of employment shall be notified in writing
on or before the first day of May in the year in which
such employment shall terminate if he is not to be re-
employed for the ensuing year. Such notice shall be by
certified mail, return receipt requested, and the employee
shall have the right of a hearing before the state board, if
requested, before final action is taken by the board upon
the termination of such employment.
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 Senate.

In effect ninety days from 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 ______th day of ________, 1974.

[Signature]
Governor
PRESENTED TO THE GOVERNOR

Date 3/5/74
Time 4:38 p.m.