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WEST VIRGINIA LEGISLATURE

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

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ENROLLED

HOUSE BILL No. 1136

(By Mr. Dalton and Mr. Samson, 10th Dist.)

— ● —

PASSED March 7, _____ 1975

In Effect ninety days from _____ Passage



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ENROLLED

H. B. 1136

(By MR. DALTON and MR. DAMRON, 10th Dist.)

[Passed March 8, 1975; in effect ninety days from passage.]

OK
A. D. Dalton
by
E. J.

AN ACT to amend and reenact section one, article one, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definitions; and to amend article two, chapter eighteen-a of said code, by adding thereto a new section, designated section nine, relating to duties and responsibilities of school principals.

Be it enacted by the Legislature of West Virginia:

That section one, article one, of chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that article two of said chapter, be amended by adding thereto a new section, designated section nine, to read as follows:

ARTICLE 1. GENERAL PROVISIONS.

§18A.-1-1. Definitions.

- 1 The definitions contained in section one, article one of
- 2 chapter eighteen shall be applicable to this chapter. In
- 3 addition, the following words used in this chapter and in
- 4 any proceedings pursuant thereto shall, unless the context
- 5 clearly indicates a different meaning, be construed as follows:
- 6 a. "School personnel" shall mean all personnel employed
- 7 by a county board of education whether employed on a regular
- 8 full-time basis, an hourly basis or otherwise. School personnel

9 shall be comprised of three categories: Professional personnel,
10 auxiliary personnel and service personnel.

11 b. "Professional personnel" shall mean persons who meet
12 the certification and/or licensing requirements of the State,
13 and shall include the professional educator and other pro-
14 fessional employees.

15 c. "Professional educator" shall be synonymous with and
16 shall have the same meaning as "teacher" as defined in section
17 one, article one, chapter eighteen of this Code. Professional
18 educators shall be classified as:

19 (1) "Classroom teacher": The professional educator who
20 has direct instructional or counseling relationship with pupils,
21 spending the majority of his time in this capacity.

22 (2) "Principal": The professional educator who as agent
23 of the board has responsibility for the supervision, management
24 and control of a school or schools within the guidelines estab-
25 lished by said board. The major area of such responsibility
26 shall be the general supervision of all the school and all school
27 activities involving pupils, teachers and other school personnel.

28 (3) "Supervisor": The professional educator who, whether
29 by this or other appropriate title, is responsible for working
30 primarily in the field with professional and/or other personnel
31 in instructional and other school improvement.

32 (4) "Central office administrator": The superintendent,
33 associate superintendent, assistant superintendent, and other
34 professional educators, whether by these or other appropriate
35 titles, who are charged with the administering and supervising
36 of the whole or some assigned part of the total program of the
37 county-wide school system.

38 d. "Other professional employee" shall mean that person
39 from another profession who is properly licensed and is em-
40 ployed to serve the public schools.

41 e. "Auxiliary personnel" shall mean those persons selected
42 and trained for teacher-aide classifications such as monitor
43 aide, clerical aide, classroom aide, general aide.

44 f. "Service personnel" shall mean those who serve the

45 school or schools as a whole, in a nonprofessional capacity, in-
46 cluding such areas as secretarial, custodial, maintenance, trans-
47 portation, school lunch.

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-9. Duties and responsibilities of school principals.

1 Upon the recommendation of the county superintendent of
2 schools, the county board of education shall employ and
3 assign, through written contract, public school principals who
4 shall supervise the management and the operation of the school
5 or schools to which they are assigned. Such principals shall
6 hold valid administrative certificates appropriate for their
7 assignments.

8 Under the supervision of the superintendent and in ac-
9 cordance with the rules and regulations of the county board of
10 education, the principal shall assume administrative and in-
11 structional supervisory responsibility for the planning, manage-
12 ment, operation and evaluation of the total educational program
13 of the school or schools to which he is assigned.

14 The principal may submit recommendations to the superin-
15 tendent regarding the appointment, assignment, promotion,
16 transfer and dismissal of all personnel assigned to the school or
17 schools under said principal's control. Such recommendation
18 shall be submitted in writing as prescribed by the superinten-
19 dent.

20 The principal shall perform such other duties as may be
21 assigned by the superintendent pursuant to the rules and
22 regulations of the county board of education.

23 Nothing contained in this section shall be construed to
24 reduce or limit the rights and privileges of principals as
25 teachers under the provisions of section one, article one,
26 chapter eighteen of the Code of West Virginia as amended;
27 section one, article one, chapter eighteen-a; and other pro-
28 visions of this code."

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

James L. Owen
Chairman Senate Committee

Clarence L. Christian Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. P. McLean Jr.
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

W. B. Bostwick
President of the Senate

Levin D. McMane
Speaker House of Delegates

The within approved this the 20th
day of March, 1975.

Arch A. Chace Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/14/75

Time 4:30 p.m.