

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time _____

No. 194

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

ENROLLED

Committee Substitute
for SENATE BILL NO. 194

(By Mr. Halleclay)

PASSED April 11 1981

In Effect ninty days from Passage

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 194

(MR. HOLLIDAY, *original sponsor*)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section fourteen, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to school personnel; salaries, wages and other benefits; duty-free lunch period for teachers; establishing and implementing a daily planning period for teachers.

Be it enacted by the Legislature of West Virginia:

That section fourteen, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.

§18A-4-14. Duty-free lunch period for teachers; daily planning period for teachers.

1 Notwithstanding the provisions of section seven, article
2 two of this chapter, every public school teacher:

3 (1) Shall be provided a daily lunch recess of not less than
4 thirty consecutive minutes, and no teacher shall be assigned
5 any responsibilities during this recess.

6 (2) Shall be provided at least one planning period per day
7 for each teacher to be used to complete necessary
8 preparations for the instruction of pupils. Such planning
9 period shall be the length of the usual class period in the
10 school to which the teacher is assigned, and shall be not less
11 than thirty minutes. No teacher shall be assigned any
12 responsibilities during this period.

13 Principals, and assistant principals, where applicable, shall
14 cooperate in carrying out the provisions of this subsection,
15 including, but not limited to, assuming control of the class
16 period or supervision of students during the time the teacher
17 is engaged in the planning period. Substitute teachers may
18 also be utilized to assist with classroom responsibilities under
19 this subsection.

20 (3) Nothing in this section shall be construed to prevent
21 any teacher from exchanging his right to a lunch recess or a
22 daily planning period for any compensation or benefit
23 mutually agreed upon by that teacher and the county
24 superintendent of schools or his agent: *Provided*, That the
25 parties may not agree to terms which are different from those
26 available to any other teacher within the individual school or
27 in any way discriminate among teachers within the individual
28 school.

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

R. P. Baylor
Chairman Senate Committee

Forry E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Todd C. Willis
Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

Wm. R. R. R.
President of the Senate

Wm. H. Lee, Jr.
Speaker House of Delegates

The within is approved this the 20
day of April, 1981.

Phil D. Spivey
Governor

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SECY. OF STATE

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