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APPROVED AND SIGNED BY THE GOVERNOR

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OFFICE OF THE GOVERNOR

Date 3-27-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

*Committee Substitute for*  
SENATE BILL NO. 256

(By Mr. *Her. Dr. Rogers et al.*)



PASSED March 11 1983

In Effect ninety days from Passage



**ENROLLED**

**COMMITTEE SUBSTITUTE**

**FOR**

**Senate Bill No. 256**

**(MR. HECK, MR. ROGERS AND MR. HOLLIDAY, original sponsors)**

[Passed March 11, 1983; in effect ninety days from passage.]

AN ACT to amend and reenact section five, article two, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the employment of school service personnel by county boards of education and to establishing a form for a written contract of employment for school personnel.

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

That section five, article two, 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 2. SCHOOL PERSONNEL.**

**§18A-2-5. Employment of service personnel.**

1 The board is authorized to employ such service per-  
2 sonnel, including substitutes, as is deemed necessary for  
3 meeting the needs of the county school system. Before  
4 entering upon their duties such personnel shall execute  
5 with the board a written contract which shall be in the  
6 following form:

7 COUNTY BOARD OF EDUCATION

8 SERVICE PERSONNEL CONTRACT OF EMPLOYMENT

9 THIS (Probationary or Continuing) CONTRACT OF EM-  
10 PLOYMENT, made and entered into this ..... day of \_\_\_\_\_,  
11 19....., by and between THE BOARD OF EDUCATION OF

12 THE COUNTY OF \_\_\_\_\_, a corporation, hereinafter  
13 called the "Board," and (Name of Employee), of (Mailing  
14 Address), hereinafter called the "Employee."

15 WITNESSETH, that whereas, at a lawful meeting of the  
16 Board of Education of the County of \_\_\_\_\_ held at the  
17 offices of said Board, in the City of \_\_\_\_\_,  
18 \_\_\_\_\_ County, West Virginia, on the \_\_\_\_\_ day of  
19 \_\_\_\_\_, 19 \_\_\_\_\_, the Employee was duly hired and  
20 appointed for employment as a (Job Classification) at  
21 (Place of Assignment) for the school year commencing  
22 \_\_\_\_\_ for the employment term and at the  
23 salary and upon the terms hereinafter set out.

24 NOW, THEREFORE, pursuant to said employment, Board  
25 and Employee mutually agree as follows:

26 (1) The Employee is employed by the Board as a (Job  
27 Classification) at (Place of Assignment) for the school  
28 year or remaining part thereof commencing \_\_\_\_\_,  
29 19 \_\_\_\_\_. The period of employment is \_\_\_\_\_ days at an  
30 annual salary of \$ \_\_\_\_\_ at the rate of \$ \_\_\_\_\_ per  
31 month.

32 (2) The Board hereby certifies that the Employee's  
33 employment has been duly approved by the Board and  
34 will be a matter of the Board's minute records.

35 (3) The services to be performed by the Employee shall  
36 be such services as are prescribed for the job classifica-  
37 tion set out above in paragraph (1) and as defined in  
38 Section 8, Article 4, Chapter 18A of the Code of West  
39 Virginia, as amended.

40 (4) The Employee may be dismissed at any time for  
41 immorality, incompetency, cruelty, insubordination, in-  
42 temperance or willful neglect of duty pursuant to the  
43 provisions of Section 8, Article 2, Chapter 18A of the Code  
44 of West Virginia, as amended.

45 (5) The Superintendent of the \_\_\_\_\_ County  
46 Board of Education, subject to the approval of the Board,  
47 may transfer and assign the Employee in the manner  
48 provided by Section 7, Article 2, Chapter 18A of the Code  
49 of West Virginia, as amended.

50 (6) This contract shall at all times be subject to any

51 and all existing laws, or such laws as may hereafter be  
52 lawfully enacted, and such laws shall be a part of this  
53 contract.

54 (7) This contract may be terminated or modified at  
55 any time by the mutual consent of the Board and the  
56 Employee.

57 (8) This contract must be signed and returned to the  
58 Board at its address of .....  
59 within thirty days after being received by the Employee.

60 (9) By signing this contract the Employee accepts  
61 employment upon the terms herein set out.

62 WITNESS the following signatures as of the day, month  
63 and year first above written:

64 ....., (President, .....County Board of Education)

65 ....., (Secretary, .....County Board of Education)

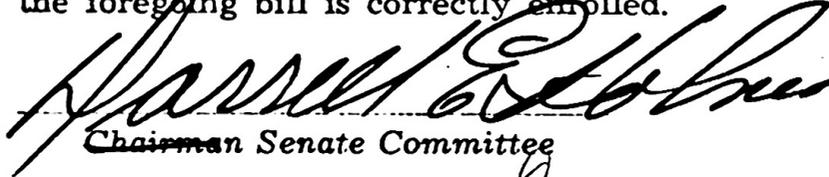
66 ....., (Employee)

67 The use of this form shall not be interpreted to author-  
68 ize boards to discontinue any employee's contract status  
69 with the board or rescind any rights, privileges, or bene-  
70 fits held under contract or otherwise by any employee  
71 prior to the effective date of this section.

72 Each contract of employment shall be designated as a  
73 probationary or continuing contract. The employment of  
74 service personnel shall be made a matter of minute record.  
75 The employee shall return the contract of employment to  
76 the county board of education within thirty days after  
77 receipt or otherwise he shall forfeit his right to employ-  
78 ment.

79 Under such regulation and policy as may be established  
80 by the county board, service personnel selected and  
81 trained for teacher-aide classifications, such as monitor  
82 aide, clerical aide, classroom aide and general aide, shall  
83 work under the direction of the principal and teachers to  
84 whom assigned.

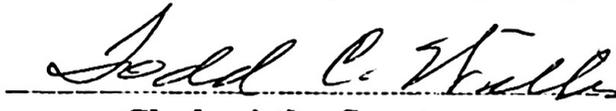
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
Chairman Senate Committee

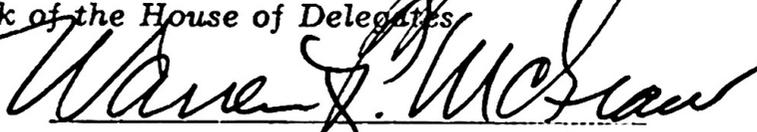
  
Chairman House Committee

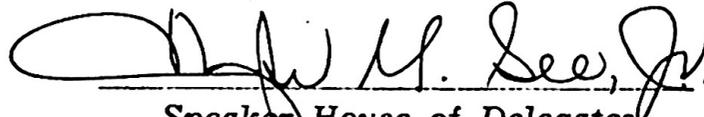
Originated in the Senate.

In effect ninety days from passage.

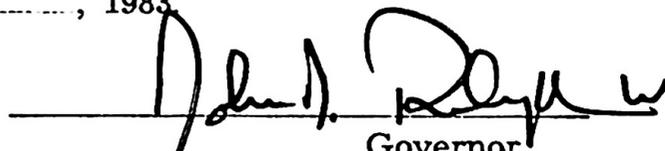
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within is approved this the 27  
day of March, 1983

  
Governor

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OFFICE  
SECY. OF STATE