WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED
Committee Substitute for
SENATE BILL NO. 256

(By Mr. Roger Elder)

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 personnel, including substitutes, as is deemed necessary for meeting the needs of the county school system. Before entering upon their duties such personnel shall execute with the board a written contract which shall be in the following form:

COUNTY BOARD OF EDUCATION

SERVICE PERSONNEL CONTRACT OF EMPLOYMENT

THIS (Probationary or Continuing) CONTRACT OF EMPLOYMENT, made and entered into this ______ day of_______, 19____, by and between THE BOARD OF EDUCATION OF
THE COUNTY OF ................................... a corporation, hereinafter called the “Board,” and (Name of Employee), of (Mailing Address), hereinafter called the “Employee.”

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

Now, THEREFORE, pursuant to said employment, Board and Employee mutually agree as follows:

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

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

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

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

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

(6) This contract shall at all times be subject to any
and all existing laws, or such laws as may hereafter be
lawfully enacted, and such laws shall be a part of this
contract.

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

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

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

Witness the following signatures as of the day, month
and year first above written:

................ , (President, ........... County Board of Education)
................ , (Secretary, ........... County Board of Education)
................ , (Employee)

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

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

Under such regulation and policy as may be established
by the county board, service personnel selected and
trained for teacher-aide classifications, such as monitor
aide, clerical aide, classroom aide and general aide, shall
work under the direction of the principal and teachers to
whom assigned.
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 is approved this the 22

day of March, 1983

[Signature]
Governor