WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2012

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ENROLLED

House Bill No. 4119

(By Delegates Perry and Lawrence)

Passed March 9, 2012

To Take Effect Ninety Days From Passage
(BY DELEGATES PERRY AND LAWRENCE)

[Passed March 9, 2012; to take effect ninety days from passage.]

AN ACT to amend and reenact §18-1-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18A-2-1a, all relating to providing definition of school athletic director; authorizing employment in the public schools of the state under certain conditions; and designating responsibilities of the position.

Be it enacted by the Legislature of West Virginia:

That §18-1-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new section, designated §18A-2-1a, all to read as follows:

CHAPTER 18. EDUCATION.

ARTICLE 1. DEFINITIONS; LIMITATIONS OF CHAPTER; GOALS FOR EDUCATION.

§18-1-1. Definitions.

1 The following words used in this chapter and in any proceedings pursuant thereto have the meanings ascribed to them unless the context clearly indicates a different meaning:
(a) “School” means the students and teachers assembled in one or more buildings, organized as a unit;

(b) “District” means county school district;

(c) “State board” means the West Virginia Board of Education;

(d) “County board” or “board” means a county board of education;

(e) “State superintendent” means the state superintendent of free Schools;

(f) “County superintendent” or “superintendent” means a county superintendent of schools;

(g) “Teacher” means a teacher, supervisor, principal, superintendent, public school librarian or any other person regularly employed for instructional purposes in a public school in this state;

(h) “Service person” or “service personnel,” whether singular or plural, means any nonteaching school employee who is not included in the meaning of “teacher” as defined in this section, and who serves the school or schools as a whole, in a nonprofessional capacity, including such areas as secretarial, custodial, maintenance, transportation, school lunch and aides. Any reference to “service employee” or “service employees” in this chapter or chapter eighteen-a of this code means service person or service personnel as defined in this section;

(i) “Social worker” means a nonteaching school employee who, at a minimum, possesses an undergraduate degree in social work from an accredited institution of higher
(i) “Regular full-time employee” means any person employed by a county board who has a regular position or job throughout his or her employment term, without regard to hours or method of pay;

(k) “Career clusters” means broad groupings of related occupations;

(l) “Work-based learning” means a structured activity that correlates with and is mutually supportive of the school-based learning of the student and includes specific objectives to be learned by the student as a result of the activity;

(m) “School-age juvenile” means any individual who is entitled to attend or who, if not placed in a residential facility, would be entitled to attend public schools in accordance with: (1) Section five, article two of this chapter; (2) sections fifteen and eighteen, article five of this chapter; or (3) section one, article twenty of this chapter;

(n) “Student with a disability” means an exceptional child, other than gifted, pursuant to section one, article twenty of this chapter;

(o) “Casual deficit” means a deficit of not more than three percent of the approved levy estimate or a deficit that is nonrecurring from year to year; and

(p) “Athletic director” means a person employed by a county board to work in a school’s athletic program pursuant to section one-a, article two, chapter eighteen-a of this code.
CHAPTER 18A. SCHOOL PERSONNEL.

§18A-2-1a. Employment of other personnel.

A county board is authorized to employ athletic directors to work in the public schools under the supervision of a school principal and in accordance with the rules of the county board.

(a) The athletic director is responsible for planning, management, operation and evaluation of the athletic program for the school or schools to which he or she is assigned.

(b) The responsibilities of an athletic director may include, but are not limited to the following:

1. Supervising athletic games;
2. Overseeing the athletic budget;
3. Hiring game officials;
4. Scheduling athletic contests;
5. Knowing and upholding all county, West Virginia Secondary Schools Activities Commission (WVSSAC) and league rules;
6. Maintaining proper records as required by West Virginia Secondary Schools Activities Commission (WVSSAC) for school participation;
7. Scheduling transportation for athletic teams;
8. Preparing and verifying athletic eligibility lists;
(9) Supervising coaches and, if appropriately certified, observing and evaluating coaches;

(10) Securing all needed personnel for basic athletic event operations;

(11) Procuring and caring for athletic equipment; and

(12) Performing other duties involving athletics as assigned by the principal or as a part of a county job description for athletic directors.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman, House Committee

[Signature]
Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

[Signature]
Clerk of the House of Delegates

[Signature]
Clerk of the Senate

[Signature]
Speaker of the House of Delegates

[Signature]
President of the Senate

The within warrant this the 20th day of March, 2012.

[Signature]
Governor
PRESENTED TO THE GOVERNOR

MAR 15 2012

Time 9:50 am