

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 694

BY SENATORS GRADY AND DEEDS

[Passed March 9, 2026; in effect 90 days from
passage (June 7, 2026)]

FILED

2026 MAR 17 P 4: 56

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SB 694

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1 AN ACT to amend and reenact §18-4-1 of the Code of West Virginia, 1931, as amended, relating
2 to removing the requirement for a county superintendent of schools to reside in the county
3 in which he or she serves or in a contiguous county; allowing the county board to require
4 that the county superintendent reside within the county in which he or she serves; and
5 allowing the county board to prohibit the county superintendent from working remotely and
6 to establish exceptions to this prohibition.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. COUNTY SUPERINTENDENT OF SCHOOLS.

§18-4-1. Election and term; interim superintendent.

1 (a) The county superintendent shall be appointed by the board upon a majority vote of the
2 members thereof to serve for a term of not less than one, nor more than four years. At the
3 expiration of the term or terms for which he or she shall have been appointed, each county
4 superintendent shall be eligible for reappointment for additional terms of not less than one, nor
5 more than four years.

6 (1) At the expiration of his or her term or terms of service the county superintendent may
7 transfer to any teaching position in the county for which he or she is qualified and has seniority,
8 unless dismissed for statutory reasons.

9 (2) The appointment of the county superintendent shall be made between January 1 and
10 June 1 for a term beginning on July 1 following the appointment.

11 (b) In the event of a vacancy in the superintendent's position that results in an incomplete
12 term, the board may appoint an interim county superintendent:

13 (1) To serve until the following July 1 if the vacancy occurs before March 1.

14 (2) To serve until July 1 of the next following year if the vacancy occurs on or after March
15 1, unless a superintendent is appointed sooner.

16 (c) If the superintendent becomes incapacitated due to accident or illness to an extent that
17 may lead to prolonged absence, the county board, by unanimous vote, may enter an order

18 declaring that an incapacity exists in which case the county board shall appoint an acting
19 superintendent to serve until a majority of the members of the board determine that the incapacity
20 no longer exists. An acting superintendent may not serve in that capacity for more than one year,
21 nor later than the expiration date of the superintendent's term, whichever occurs sooner, unless
22 he or she is reappointed by the county board.

23 (d) Immediately following the appointment of a county superintendent or an interim county
24 superintendent, the president of the county board shall certify the appointment to the state
25 superintendent. Immediately following the appointment of an acting county superintendent or a
26 vote by a majority of the members of the county board that an incapacity no longer exists, the
27 president of the county board shall certify the appointment, reappointment, or appointment
28 termination of the acting superintendent to the state superintendent.

29 (e) During his or her term of appointment, the county superintendent shall be a state
30 resident subject to the following:

31 (1) The county board may require in its contract with the county superintendent that he or
32 she reside within the county in which he or she serves;

33 (2) The county board may prohibit in its contract with the county superintendent him or her
34 from working remotely and establish exceptions to this prohibition; and

35 (3) The county superintendent in office on the effective date of this section shall continue
36 in office until the expiration of his or her term.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

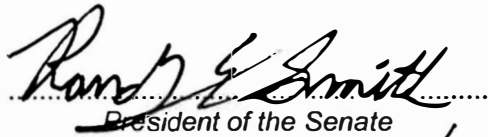

Clerk of the Senate


Clerk of the House of Delegates

FILED
2026 MAR 17 P 4: 56
OFFICE OF THE SECRETARY OF STATE

Originated in the Senate.

In effect 90 days from passage.


President of the Senate


Speaker of the House of Delegates

The within is approved this the 17th
Day of March, 2026.

Governor

PRESENTED TO THE GOVERNOR

MAR 11 2020

Time 2:10pm