

H. B. 4119

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(By Delegates Perry and Lawrence)
[Introduced January 18, 2012; referred to the
Committee on Education.]

10 A BILL to amend and reenact §18-1-1 of the Code of West Virginia,
11 1931, as amended, relating to providing definition of athletic
12 director employed in the public schools; and responsibilities.

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

14 That §18-1-1 of the Code of West Virginia, 1931, as amended,
15 be amended and reenacted to read as follows:

16 **ARTICLE 1. DEFINITIONS; LIMITATIONS OF CHAPTER; GOALS FOR**
17 **EDUCATION.**

18 **§18-1-1. Definitions.**

19 The following words used in this chapter and in any
20 proceedings pursuant thereto have the meanings ascribed to them
21 unless the context clearly indicates a different meaning:

22 (a) "School" means the students and teachers assembled in one
23 or more buildings, organized as a unit;

1 (b) "District" means county school district;

2 (c) "State board" means the West Virginia Board of Education;

3 (d) "County board" or "board" means a county board of
4 education;

5 (e) "State superintendent" means the state superintendent of
6 free Schools;

7 (f) "County superintendent" or "superintendent" means a county
8 superintendent of schools;

9 (g) "Teacher" means a teacher, supervisor, principal,
10 superintendent, public school librarian or any other person
11 regularly employed for instructional purposes in a public school in
12 this state;

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

22 (i) "Social worker" means a nonteaching school employee who,
23 at a minimum, possesses an undergraduate degree in social work from
24 an accredited institution of higher learning and who provides

1 various professional social work services, activities or methods as
2 defined by the state board for the benefit of students;

3 (j) "Regular full-time employee" means any person employed by
4 a county board who has a regular position or job throughout his or
5 her employment term, without regard to hours or method of pay;

6 (k) "Career clusters" means broad groupings of related
7 occupations;

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

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

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

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

24 (p) "Athletic director" means a person employed by the county

1 board of education who, under the supervision of the school
2 principal and in accordance with the rules of the county board, is
3 responsible for the planning, management, operation and evaluation
4 of the athletic program for the school or schools to which he or
5 she is assigned. The responsibilities of an athletic director may
6 include, but are not limited to: (1) Supervising of athletic games;
7 (2) overseeing the athletic budget; (3) hiring game officials; (4)
8 scheduling athletic contests; (5) knowing and upholding all county,
9 West Virginia Secondary Schools Activities Commission (WVSSAC) and
10 league rules; (6) maintaining proper records as required by West
11 Virginia Secondary Schools Activities Commission (WVSSAC)
12 participation; (7) scheduling transportation for athletic teams;
13 (8) preparing and verifying athletic eligibility lists; (9)
14 supervising coaches and, if appropriately certified, observing and
15 evaluating coaches; (10) securing all needed personnel for basic
16 athletic event operations; (11) procuring and caring for athletic
17 equipment; and (12) performing other duties involving athletics as
18 assigned by the principal or as a part of a county job description
19 for athletic directors.

NOTE: The purpose of this bill is to provide a definition for an athletic director who is employed by a county board of education and is responsible for the planning, management, operation and evaluation of the athletic program for the school or schools to which he or she is assigned.

Strike-throughs indicate language that would be stricken from

the present law, and underscoring indicates new language that would be added.