

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 80**

5 (SENATOR EDGELL, *original sponsor*)

6 _____
7 [Passed April 9, 2013; to take effect July 1, 2013.]
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9 _____
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11 AN ACT to amend and reenact §18-5-32 of the Code of West Virginia,
12 1931, as amended, relating to including substitute teaching in
13 the job duties of certain professional educators employed by
14 county boards of education in certain administrative and
15 supervisory positions.

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

17 That §18-5-32 of the Code of West Virginia, 1931, as amended,
18 be amended and reenacted to read as follows:

19 **ARTICLE 5. COUNTY BOARD OF EDUCATION.**

20 **§18-5-32. Assistant superintendents; directors and supervisors of**
21 **instruction and other educational activities.**

22 (a) The county board, upon the recommendation of the county
23 superintendent, may employ an assistant whose term of employment
24 may be not less than one nor more than four years: *Provided, That*

1 his or her term may not extend beyond that of the incumbent county
2 superintendent.

3 (b) The board may not employ more than one assistant for each
4 two hundred teachers or major fraction thereof.

5 (c) The county board, upon the recommendation of the county
6 superintendent, is authorized to employ general and special
7 supervisors or directors of instruction and of other educational
8 activities as may be considered necessary.

9 (d) The employment of the assistant superintendent shall be on
10 a twelve-month basis. The period of employment for all others
11 named herein shall be at the discretion of the county board.

12 (e) Rules for qualifications of assistant superintendents, and
13 directors and supervisors of instruction and of other educational
14 activities shall be fixed by the state board: *Provided*, That the
15 qualifications required for any assistant superintendent may not be
16 higher than those required for the county superintendent: *Provided*,
17 *however*, That the rules do not affect the status of any incumbent
18 nor his or her right to succeed himself or herself in his or her
19 assigned position.

20 (f) The county board is authorized to reimburse the employees
21 for their necessary traveling expenses upon presentation of a
22 monthly, itemized, sworn statement approved by the county
23 superintendent.

24 (g) Any person employed under the foregoing provision of this

1 section, provided he or she holds a valid teacher's certificate,
2 shall be given continuing contract status as a teacher and shall
3 hold that status unless dismissed for statutory reasons.

4 (h) The job duties of a professional educator employed under
5 the provisions of this section, including a professional educator
6 employed as a "supervisor" or "central office administrator" as
7 defined in section one, article one, chapter eighteen-a of this
8 code, shall include substitute teaching on at least three
9 instructional days each school year: *Provided*, That the substitute
10 teaching requirement of this subsection does not apply to the
11 superintendent and those who have never held a teaching certificate
12 or an administrative certificate.

13 (i) All acts or parts of acts inconsistent with this section
14 are hereby repealed.