WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4363

By Delegates G. Ward, Jennings, Sypolt, Barnhart, Haynes, Conley, Kimble, Mazzocchi, Martin, Longanacre, and Booth

[Introduced January 24, 2022; Referred to the Committee on Education then Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §18A-2-16 and §18A-4-23, all relating to public school teachers and service personnel who accept subsequent employment in a public charter school; allowing those teachers and service personnel to retain their benefits without penalty.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-16. Transfer to public charter school.; retention of benefits.

A teacher or person employed as service personnel, who has been previously employed under this article, may be subsequently employed as teacher or service personnel by a public charter school, as public charter school is defined §18-5G-1 *et seq.* of this code.

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-23. Transfer to public charter school; retention of benefits.

Notwithstanding any other provision of this code to the contrary, a teacher or service personnel who is subsequently employed as teacher or service personnel by a public charter school in this state, as public charter school is defined §18-5G-1 *et seq.* of this code, shall retain all benefits and rights, and salary, wage benefits, including those under the public employees’ insurance act, public employees’ retirement act, annual leave, vacation, or all other additional rights, privileges, or obligations not herein expressly stated or identified, which applied as an employee of the public school system.

NOTE: The purpose of this bill is to allow public school teachers and service personnel who accept subsequent employment in a public charter school to retain their benefits without penalty.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.