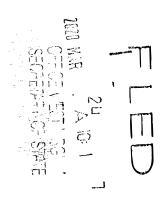
WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION





Committee Substitute

for

House Bill 4546

BY DELEGATES ATKINSON, BARTLETT, COOPER, DEAN,

ELLINGTON, EVANS, J. KELLY, LAVENDER-BOWE,

WESTFALL AND HIGGINBOTHAM

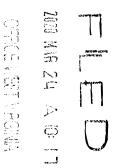
[Passed March 4, 2020; in effect ninety days from

passage.]

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED



Committee Substitute

for

House Bill 4546

BY DELEGATES ATKINSON, BARTLETT, COOPER, DEAN,

ELLINGTON, EVANS, J. KELLY, LAVENDER-BOWE,

WESTFALL AND HIGGINBOTHAM

[Passed March 4, 2020; in effect ninety days from

passage.]

AN ACT to amend and reenact §18-4-2 of the Code of West Virginia, 1931, as amended, relating
 to tuberculosis testing for school superintendents; removing requirement for biennial
 screenings; and adding permissive screenings based upon suspicion of exposure.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. COUNTY SUPERINTENDENT OF SCHOOLS.

§18-4-2. Qualifications; health certificate; disability; acting superintendent.

(a) A county superintendent shall hold a professional administrative certificate endorsed
 for superintendent, or a first class permit endorsed for superintendent, subject to the following:

(1) A superintendent who holds a first class permit may be appointed for one year only,
and may be reappointed two times for an additional year each upon an annual evaluation by the
county board and a determination of satisfactory performance and reasonable progress toward
completion of the requirements for a professional administrative certificate endorsed for
superintendent;

8 (2) Any candidate for superintendent, assistant superintendent or associate 9 superintendent, who possesses an earned doctorate from an accredited institution of higher 10 education and either has completed three successful years of teaching in public education or has 11 the equivalent of three years of experience in management or supervision as defined by state 12 board rule, after employment by the county board shall be granted a permanent administrative 13 certificate and shall be a licensed county superintendent;

14 (3) The state board shall promulgate a legislative rule in accordance with §29A-3B-1 *et* 15 *seq.* of this code, to address those cases where a county board finds that course work needed by 16 the county superintendent who holds a first class permit is not available or is not scheduled at 17 state institutions of higher education in a manner which will enable the county superintendent to 18 complete normal requirements for a professional administrative certificate within the three-year 19 period allowed under the permit; and

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(4) Any person employed as assistant superintendent or educational administrator prior to
 June 27, 1988, and who was previously employed as superintendent is not required to hold the
 professional administrative certificate endorsed for superintendent.

(b) In addition to other requirements set forth in this section, a county superintendent shall
 meet the following health-related conditions of employment:

(1) Before entering upon the discharge of his or her duties, file with the president of the
 county board a certificate from a licensed physician certifying the following:

(A) A tuberculin skin test, of the type Mantoux test (PPD skin test), approved by the
Commissioner of the Bureau for Public Health has been made within four months prior to the
beginning of the term of the county superintendent; and

30 (B) The county superintendent does not have tuberculosis in a communicable state based
31 upon the test results and any further study;

(2) The commissioner may require selective testing of superintendents for tuberculosis when there is reason to believe that they may have been exposed to the tuberculosis organism or they have signs and symptoms indicative of the disease. The county superintendent should contact the local health department in instances where they have reason to suspect that they have been exposed to tuberculosis or have symptoms indicative of the disease. Positive reactors to the skin test are to be referred immediately to licensed health care practitioner for evaluation and indicated treatment or further studies;

(3) A county superintendent who is certified by a licensed health care practitioner to have
tuberculosis in a communicable stage shall have his or her employment discontinued or
suspended until the disease has been arrested and is no longer communicable; and

42 (4) A county superintendent who fails to complete required follow-up examinations as set
43 forth in this subsection shall be suspended from employment until a report of examination is
44 confirmed.

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly engolled. Chairman, House Committee 203 Chairman, Senate Committee N L <u>}</u>> Originating in the House. Q In effect ninety days from passage. لـــ Clerk of the House of Delegates Carton Clerk of the Senate Speaker of the House of Delegates President of the Senate The within ... M. applo a vel this the..... day of 2020. Governor

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