

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

Senate Bill 1064

BY SENATORS GRADY, WOELFEL, AND DEEDS

[Passed March 14, 2026; in effect 90 days from
passage (June 12, 2026)]

1 AN ACT to amend and reenact §18A-1-1 of the Code of West Virginia, 1931, as amended, relating
2 to redefining "long-term substitute" as it relates to public school personnel.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS.

§18A-1-1. DEFINITIONS.

1 The definitions contained in §18-1-1 of this code apply to this chapter. In addition, the
2 following words used in this chapter and in any proceedings pursuant to this chapter have the
3 meanings ascribed to them unless the context clearly indicates a different meaning:

4 (a) "School personnel" means all personnel employed by a county board whether
5 employed on a regular full-time basis, an hourly basis or otherwise. "School personnel" is
6 comprised of two categories: Professional personnel and service personnel;

7 (b) "Professional person" or "professional personnel" means those persons or employees
8 who meet the certification requirements of the state, licensing requirements of the state, or both,
9 and includes a professional educator and other professional employee;

10 (c) "Professional educator" has the same meaning as "teacher" as defined in §18-1-1 of
11 this code. Professional educators are classified as follows:

12 (1) "Classroom teacher" means a professional educator who has a direct instructional or
13 counseling relationship with students and who spends the majority of his or her time in this
14 capacity;

15 (2) "Principal" means a professional educator who functions as an agent of the county
16 board and has responsibility for the supervision, management, and control of a school or schools
17 within the guidelines established by the county board. The principal's major area of responsibility
18 is the general supervision of all the schools and all school activities involving students, teachers,
19 and other school personnel;

20 (3) "Supervisor" means a professional educator who is responsible for working primarily
21 in the field with professional and other personnel in instructional and other school improvement.
22 This category includes other appropriate titles or positions with duties that fit within this definition;
23 and

24 (4) "Central office administrator" means a superintendent, associate superintendent,
25 assistant superintendent, and other professional educators who are charged with administering
26 and supervising the whole or some assigned part of the total program of the countywide school
27 system. This category includes other appropriate titles or positions with duties that fit within this
28 definition;

29 (d) "Other professional employee" means a person from another profession who is
30 properly licensed and who is employed to serve the public schools. This definition includes a
31 registered professional nurse, licensed by the West Virginia Board of Examiners for Registered
32 Professional Nurses, who is employed by a county board and has completed either a two-year
33 (64 semester hours) or a three-year (96 semester hours) nursing program;

34 (e) "Service person" or "service personnel", whether singular or plural, means a
35 nonteaching school employee who is not included in the meaning of "teacher" as defined in §18-
36 1-1 of this code and who serves the school or schools as a whole, in a nonprofessional capacity,
37 including such areas as secretarial, custodial, maintenance, transportation, school lunch, and
38 aides. Any reference to "service employee" or "service employees" in this chapter or chapter 18
39 of this code means service person or service personnel as defined in this section;

40 (f) "Principals Academy" or "academy" means the academy created pursuant to §18A-3A-
41 2b of this code;

42 (g) "Center for Professional Development" means the center created pursuant to §18A-
43 3A-1 of this code;

44 (h) "Job-sharing arrangement" means a formal, written agreement voluntarily entered into
45 by a county board with two or more of its employees who wish to divide between them the duties
46 and responsibilities of one authorized full-time position;

47 (i) "Prospective employable professional person", whether singular or plural, means a
48 certified professional educator who:

49 (1) Has been recruited on a reserve list of a county board;

50 (2) Has been recruited at a job fair or as a result of contact made at a job fair;

51 (3) Has not obtained regular employee status through the job posting process provided in
52 §18A-4-7a of this code; and

53 (4) Has obtained a baccalaureate degree from an accredited institution of higher education
54 within the past year;

55 (j) "Dangerous student" means a student who is substantially likely to cause serious bodily
56 injury to himself, herself, or another individual within that student's educational environment,
57 which may include any alternative education environment, as evidenced by a pattern or series of
58 violent behavior exhibited by the student, and documented in writing by the school, with the
59 documentation provided to the student and parent or guardian at the time of any offense;

60 (k) "Alternative education" means an authorized departure from the regular school
61 program designed to provide educational and social development for students whose disruptive
62 behavior places them at risk of not succeeding in the traditional school structures and in adult life
63 without positive interventions; and

64 (l) "Long-term substitute" means a substitute employee who fills a position for more than
65 thirty consecutive instructional days, regardless of whether the position is vacant or the regular
66 employee is absent, subject to the following:

67 (1) A position expected to exceed thirty consecutive instructional days shall be
68 considered a long-term substitute position and shall require the individual serving in the
69 assignment to hold the appropriate credential issued in accordance with State Board rule where

70 the posting is only required to occur once at the beginning of the year and once mid-year in
71 accordance to §18A-4-7a., and the position is listed as a regular, full-time position; is not filled
72 by a regular, full-time employee; and is filled by a substitute employee.

73 (2) For the purposes of §5-16-2 of this code, long-term substitute does not include a
74 retired employee hired to fill the vacant position.

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

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Clerk of the Senate

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Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

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President of the Senate

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Speaker of the House of Delegates

The within is this the.....
Day of, 2026.

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Governor