

ENROLLED

H. B. 4583

(BY DELEGATES M. POLING, SHAVER, CAPUTO, MOYE,
PERRY, MICHAEL, SUMNER AND DUKE)

[Passed March 5, 2012; to take effect from passage.]

AN ACT to amend and reenact §18A-2-2, §18A-2-6, §18A-2-7 and §18A-2-8a of the Code of West Virginia, 1931, as amended; and to amend and reenact §18A-4-7a of said code, all relating to school personnel; changing certain deadlines pertaining to termination of a continuing contract, resignation, retirement, transfer and rehiring of probationary employees; changing the number of days prior to the beginning of the instructional term for limiting the transfer of certain employees; and restricting application of certain provisions pertaining to limiting the transfer of certain employees.

Be it enacted by the Legislature of West Virginia:

That §18A-2-2, §18A-2-6, §18A-2-7 and §18A-2-8a of the code of West Virginia, 1931, as amended, be amended and reenacted; and that §18A-4-7a of said code be amended and reenacted, all to read as follows:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-2. Employment of teachers; contracts; continuing contract status; how terminated; dismissal for lack of need; released time; failure of teacher to perform contract or violation thereof; written notice bonus for teachers and professional personnel.

- 1 (a) Before entering upon their duties, all teachers shall
- 2 execute a contract with their county boards, which shall state

3 the salary to be paid and shall be in the form prescribed by
4 the state superintendent. Each contract shall be signed by the
5 teacher and by the president and secretary of the county
6 board and shall be filed, together with the certificate of the
7 teacher, by the secretary of the office of the county board:
8 *Provided*, That when necessary to facilitate the employment
9 of employable professional personnel and prospective and
10 recent graduates of teacher education programs who have not
11 yet attained certification, the contract may be signed upon the
12 condition that the certificate is issued to the employee prior
13 to the beginning of the employment term in which the
14 employee enters upon his or her duties.

15 (b) Each teacher's contract, under this section, shall be
16 designated as a probationary or continuing contract. A
17 probationary teacher's contract shall be for a term of not less
18 than one nor more than three years, one of which shall be for
19 completion of a beginning teacher internship pursuant to the
20 provisions of section two-b, article three of this chapter, if
21 applicable. If, after three years of such employment, the
22 teacher who holds a professional certificate, based on at least
23 a bachelor's degree, has met the qualifications for a
24 bachelor's degree and the county board enter into a new
25 contract of employment, it shall be a continuing contract,
26 subject to the following:

27 (1) Any teacher holding a valid certificate with less than
28 a bachelor's degree who is employed in a county beyond the
29 three-year probationary period shall upon qualifying for the
30 professional certificate based upon a bachelor's degree, if
31 reemployed, be granted continuing contract status; and

32 (2) A teacher holding continuing contract status with one
33 county shall be granted continuing contract status with any
34 other county upon completion of one year of acceptable
35 employment if the employment is during the next succeeding
36 school year or immediately following an approved leave of
37 absence extending no more than one year.

38 (c) The continuing contract of any teacher shall remain in
39 full force and effect except as modified by mutual consent of

40 the school board and the teacher, unless and until terminated,
41 subject to the following:

42 (1) A continuing contract may not be terminated except:

43 (A) By a majority vote of the full membership of the
44 county board on or before March 1 of the then current year,
45 after written notice, served upon the teacher, return receipt
46 requested, stating cause or causes and an opportunity to be
47 heard at a meeting of the board prior to the board's action on
48 the termination issue; or

49 (B) By written resignation of the teacher on or before
50 March 1 to initiate termination of a continuing contract;

51 (2) The termination shall take effect at the close of the
52 school year in which the contract is terminated;

53 (3) The contract may be terminated at any time by mutual
54 consent of the school board and the teacher;

55 (4) This section does not affect the powers of the school
56 board to suspend or dismiss a principal or teacher pursuant to
57 section eight of this article;

58 (5) A continuing contract for any teacher holding a
59 certificate valid for more than one year and in full force and
60 effect during the school year 1984-1985 shall remain in full
61 force and effect;

62 (6) A continuing contract does not operate to prevent a
63 teacher's dismissal based upon the lack of need for the
64 teacher's services pursuant to the provisions of law relating to
65 the allocation to teachers and pupil-teacher ratios. The written
66 notification of teachers being considered for dismissal for
67 lack of need shall be limited to only those teachers whose
68 consideration for dismissal is based upon known or expected
69 circumstances which will require dismissal for lack of need.
70 An employee who was not provided notice and an
71 opportunity for a hearing pursuant to this subsection may not
72 be included on the list. In case of dismissal for lack of need,

73 a dismissed teacher shall be placed upon a preferred list in the
74 order of their length of service with that board. No teacher
75 may be employed by the board until each qualified teacher
76 upon the preferred list, in order, has been offered the
77 opportunity for reemployment in a position for which he or
78 she is qualified, not including a teacher who has accepted a
79 teaching position elsewhere. The reemployment shall be
80 upon a teacher's preexisting continuing contract and has the
81 same effect as though the contract had been suspended during
82 the time the teacher was not employed.

83 (d) In the assignment of position or duties of a teacher
84 under a continuing contract, the board may provide for
85 released time of a teacher for any special professional or
86 governmental assignment without jeopardizing the
87 contractual rights of the teacher or any other rights, privileges
88 or benefits under the provisions of this chapter. Released
89 time shall be provided for any professional educator while
90 serving as a member of the Legislature during any duly
91 constituted session of that body and its interim and statutory
92 committees and commissions without jeopardizing his or her
93 contractual rights or any other rights, privileges, benefits or
94 accrual of experience for placement on the state minimum
95 salary schedule in the following school year under the
96 provisions of this chapter, board policy and law.

97 (e) Any teacher who fails to fulfill his or her contract with
98 the board, unless prevented from doing so by personal illness
99 or other just cause or unless released from his or her contract
100 by the board, or who violates any lawful provision of the
101 contract, is disqualified to teach in any other public school in
102 the state for a period of the next ensuing school year and the
103 State Department of Education or board may hold all papers
104 and credentials of the teacher on file for a period of one year
105 for the violation: *Provided*, That marriage of a teacher is not
106 considered a failure to fulfill, or violation of, the contract.

107 (f) Any classroom teacher, as defined in section one,
108 article one of this chapter, who desires to resign employment
109 with a county board or request a leave of absence, the
110 resignation or leave of absence to become effective on or

111 before July 15 of the same year and after completion of the
112 employment term, may do so at any time during the school
113 year by written notification of the resignation or leave of
114 absence and any notification received by a county board shall
115 automatically extend the teacher's public employee insurance
116 coverage until August 31 of the same year.

117 (g) (1) A classroom teacher who gives written notice to the
118 county board on or before January 15 of the school year of his or
119 her retirement from employment with the board at the conclusion
120 of the school year shall be paid \$500 from the Early Notification
121 of Retirement line item established for the Department of
122 Education for this purpose, subject to appropriation by the
123 Legislature. If the appropriations to the Department of Education
124 for this purpose are insufficient to compensate all applicable
125 teachers, the Department of Education shall request a
126 supplemental appropriation in an amount sufficient to
127 compensate all such teachers. Additionally, if funds are still
128 insufficient to compensate all applicable teachers, the priority of
129 payment is for teachers who give written notice the earliest. This
130 payment shall not be counted as part of the final average salary
131 for the purpose of calculating retirement.

132 (2) The position of a classroom teacher providing written
133 notice of retirement pursuant to this subsection may be
134 considered vacant and the county board may immediately
135 post the position as an opening to be filled at the conclusion
136 of the school year. If a teacher has been hired to fill the
137 position of a retiring classroom teacher prior to the start of
138 the next school year, the retiring classroom teacher is
139 disqualified from continuing his or her employment in that
140 position. However, the retiring classroom teacher may be
141 permitted to continue his or her employment in that position
142 and forfeit the early retirement notification payment if, after
143 giving notice of retirement in accordance with this
144 subsection, he or she becomes subject to a significant
145 unforeseen financial hardship, including a hardship caused by
146 the death or illness of an immediate family member or loss of
147 employment of a spouse. Other significant unforeseen
148 financial hardships shall be determined by the county
149 superintendent on a case-by-case basis. This subsection does

150 not prohibit a county school board from eliminating the
151 position of a retiring classroom teacher.

**§18A-2-6. Continuing contract status for service personnel;
termination.**

1 After three years of acceptable employment, each service
2 personnel employee who enters into a new contract of
3 employment with the board shall be granted continuing contract
4 status: *Provided*, That a service personnel employee holding
5 continuing contract status with one county shall be granted
6 continuing contract status with any other county upon
7 completion of one year of acceptable employment if such
8 employment is during the next succeeding school year or
9 immediately following an approved leave of absence extending
10 no more than one year. The continuing contract of any such
11 employee shall remain in full force and effect except as modified
12 by mutual consent of the school board and the employee, unless
13 and until terminated with written notice, stating cause or causes,
14 to the employee, by a majority vote of the full membership of the
15 board before March 1 of the then current year, or by written
16 resignation of the employee on or before that date. The affected
17 employee has the right of a hearing before the board, if
18 requested, before final action is taken by the board upon the
19 termination of such employment.

20 Those employees who have completed three years of
21 acceptable employment as of the effective date of this
22 legislation shall be granted continuing contract status.

**§18A-2-7. Assignment, transfer, promotion, demotion, suspension
and recommendation of dismissal of school personnel
by superintendent; preliminary notice of transfer;
hearing on the transfer; proof required.**

1 (a) The superintendent, subject only to approval of the
2 board, may assign, transfer, promote, demote or suspend school
3 personnel and recommend their dismissal pursuant to provisions
4 of this chapter. However, an employee shall be notified in
5 writing by the superintendent on or before March 1 if he or she
6 is being considered for transfer or to be transferred. Only those

7 employees whose consideration for transfer or intended transfer
8 is based upon known or expected circumstances which will
9 require the transfer of employees shall be considered for
10 transfer or intended for transfer and the notification shall be
11 limited to only those employees. Any teacher or employee who
12 desires to protest the proposed transfer may request in writing
13 a statement of the reasons for the proposed transfer. The
14 statement of reasons shall be delivered to the teacher or
15 employee within ten days of the receipt of the request. Within
16 ten days of the receipt of the statement of the reasons, the
17 teacher or employee may make written demand upon the
18 superintendent for a hearing on the proposed transfer before the
19 county board of education. The hearing on the proposed
20 transfer shall be held on or before April 15. At the hearing, the
21 reasons for the proposed transfer must be shown.

22 (b) The superintendent at a meeting of the board on or
23 before April 15 shall furnish in writing to the board a list of
24 teachers and other employees to be considered for transfer
25 and subsequent assignment for the next ensuing school year.
26 An employee who was not provided notice and an
27 opportunity for a hearing pursuant to subsection (a) of this
28 section may not be included on the list. All other teachers
29 and employees not so listed shall be considered as reassigned
30 to the positions or jobs held at the time of this meeting. The
31 list of those recommended for transfer shall be included in the
32 minute record of the meeting and all those so listed shall be
33 notified in writing, which notice shall be delivered in writing,
34 by certified mail, return receipt requested, to the persons' last
35 known addresses within ten days following the board
36 meeting, of their having been so recommended for transfer
37 and subsequent assignment and the reasons therefor.

38 (c) The superintendent's authority to suspend school
39 personnel shall be temporary only pending a hearing upon
40 charges filed by the superintendent with the board of
41 education and the period of suspension may not exceed thirty
42 days unless extended by order of the board.

43 (d) The provisions of this section respecting hearing upon
44 notice of transfer is not applicable in emergency situations

45 where the school building becomes damaged or destroyed
46 through an unforeseeable act and which act necessitates a
47 transfer of the school personnel because of the
48 aforementioned condition of the building.

§18A-2-8a. Notice to probationary personnel of rehiring or nonrehiring; hearing.

1 The superintendent at a meeting of the board on or before
2 April 15 of each year shall provide in writing to the board a list
3 of all probationary teachers that he or she recommends to be
4 rehired for the next ensuing school year. The board shall act
5 upon the superintendent's recommendations at that meeting in
6 accordance with section one of this article. The board at this
7 same meeting shall also act upon the retention of other
8 probationary employees as provided in sections two and five of
9 this article. Any such probationary teacher or other
10 probationary employee who is not rehired by the board at that
11 meeting shall be notified in writing, by certified mail, return
12 receipt requested, to such persons' last known addresses within
13 ten days following said board meeting, of their not having been
14 rehired or not having been recommended for rehiring.

15 Any probationary teacher who receives notice that he or she
16 has not been recommended for rehiring or other probationary
17 employee who has not been reemployed may within ten days
18 after receiving the written notice request a statement of the
19 reasons for not having been rehired and may request a hearing
20 before the board. The hearing shall be held at the next regularly
21 scheduled board of education meeting or a special meeting of the
22 board called within thirty days of the request for hearing. At the
23 hearing, the reasons for the nonrehiring must be shown.

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-7a. Employment, promotion and transfer of professional personnel; seniority.

1 (a) A county board of education shall make decisions affecting
2 the hiring of professional personnel other than classroom teachers
3 on the basis of the applicant with the highest qualifications.

4 (b) The county board shall make decisions affecting the
5 hiring of new classroom teachers on the basis of the applicant
6 with the highest qualifications.

7 (c) In judging qualifications for hiring employees
8 pursuant to subsections (a) and (b) of this section,
9 consideration shall be given to each of the following:

10 (1) Appropriate certification, licensure or both;

11 (2) Amount of experience relevant to the position; or, in
12 the case of a classroom teaching position, the amount of
13 teaching experience in the subject area;

14 (3) The amount of course work, degree level or both in
15 the relevant field and degree level generally;

16 (4) Academic achievement;

17 (5) Relevant specialized training;

18 (6) Past performance evaluations conducted pursuant to
19 section twelve, article two of this chapter; and

20 (7) Other measures or indicators upon which the relative
21 qualifications of the applicant may fairly be judged.

22 (d) If one or more permanently employed instructional
23 personnel apply for a classroom teaching position and meet
24 the standards set forth in the job posting, the county board of
25 education shall make a decision affecting the filling of the
26 position on the basis of the following criteria:

27 (1) Appropriate certification, licensure or both;

28 (2) Total amount of teaching experience;

29 (3) The existence of teaching experience in the required
30 certification area;

31 (4) Degree level in the required certification area;

32 (5) Specialized training directly related to the
33 performance of the job as stated in the job description;

34 (6) Receiving an overall rating of satisfactory in the
35 previous two evaluations conducted pursuant to section
36 twelve, article two of this chapter; and

37 (7) Seniority.

38 (e) In filling positions pursuant to subsection (d) of this
39 section, consideration shall be given to each criterion with
40 each criterion being given equal weight. If the applicant with
41 the most seniority is not selected for the position, upon the
42 request of the applicant a written statement of reasons shall
43 be given to the applicant with suggestions for improving the
44 applicant's qualifications.

45 (f) With the exception of guidance counselors, the
46 seniority of classroom teachers, as defined in section one,
47 article one of this chapter shall be determined on the basis of
48 the length of time the employee has been employed as a
49 regular full-time certified and/or licensed professional
50 educator by the county board of education and shall be
51 granted in all areas that the employee is certified, licensed or
52 both.

53 (g) Upon completion of one hundred thirty-three days of
54 employment in any one school year, substitute teachers,
55 except retired teachers and other retired professional
56 educators employed as substitutes, shall accrue seniority
57 exclusively for the purpose of applying for employment as a
58 permanent, full-time professional employee. One hundred
59 thirty-three days or more of said employment shall be
60 prorated and shall vest as a fraction of the school year worked
61 by the permanent, full-time teacher.

62 (h) Guidance counselors and all other professional
63 employees, as defined in section one, article one of this
64 chapter, except classroom teachers, shall gain seniority in
65 their nonteaching area of professional employment on the
66 basis of the length of time the employee has been employed

67 by the county board of education in that area: *Provided*, That
68 if an employee is certified as a classroom teacher, the
69 employee accrues classroom teaching seniority for the time
70 that that employee is employed in another professional area.
71 For the purposes of accruing seniority under this paragraph,
72 employment as principal, supervisor or central office
73 administrator, as defined in section one, article one of this
74 chapter, shall be considered one area of employment.

75 (i) Employment for a full employment term shall equal
76 one year of seniority, but no employee may accrue more than
77 one year of seniority during any given fiscal year.
78 Employment for less than the full employment term shall be
79 prorated. A random selection system established by the
80 employees and approved by the board shall be used to
81 determine the priority if two or more employees accumulate
82 identical seniority: *Provided*, That when two or more
83 principals have accumulated identical seniority, decisions on
84 reductions in force shall be based on qualifications.

85 (j) Whenever a county board is required to reduce the
86 number of professional personnel in its employment, the
87 employee with the least amount of seniority shall be properly
88 notified and released from employment pursuant to the
89 provisions of section two, article two of this chapter. The
90 provisions of this subsection are subject to the following:

91 (1) All persons employed in a certification area to be
92 reduced who are employed under a temporary permit shall be
93 properly notified and released before a fully certified
94 employee in such a position is subject to release;

95 (2) An employee subject to release shall be employed in
96 any other professional position where the employee is
97 certified and was previously employed or to any lateral area
98 for which the employee is certified, licensed or both, if the
99 employee's seniority is greater than the seniority of any other
100 employee in that area of certification, licensure or both;

101 (3) If an employee subject to release holds certification,
102 licensure or both in more than one lateral area and if the

103 employee's seniority is greater than the seniority of any other
104 employee in one or more of those areas of certification,
105 licensure or both, the employee subject to release shall be
106 employed in the professional position held by the employee
107 with the least seniority in any of those areas of certification,
108 licensure or both; and

109 (4) If, prior to August 1, of the year a reduction in force
110 is approved, the reason for any particular reduction in force
111 no longer exists as determined by the county board in its sole
112 and exclusive judgment, the board shall rescind the reduction
113 in force or transfer and shall notify the released employee in
114 writing of his or her right to be restored to his or her position
115 of employment. Within five days of being so notified, the
116 released employee shall notify the board, in writing, of his or
117 her intent to resume his or her position of employment or the
118 right to be restored shall terminate. Notwithstanding any
119 other provision of this subdivision, if there is another
120 employee on the preferred recall list with proper certification
121 and higher seniority, that person shall be placed in the
122 position restored as a result of the reduction in force being
123 rescinded.

124 (k) For the purpose of this article, all positions which
125 meet the definition of "classroom teacher" as defined in
126 section one, article one of this chapter shall be lateral
127 positions. For all other professional positions, the county
128 board of education shall adopt a policy by October 31, 1993,
129 and may modify the policy thereafter as necessary, which
130 defines which positions shall be lateral positions. The board
131 shall submit a copy of its policy to the state board within
132 thirty days of adoption or any modification, and the state
133 board shall compile a report and submit the report to the
134 Legislative Oversight Commission on Education
135 Accountability by December 31, 1993, and by that date in
136 any succeeding year in which any county board submits a
137 modification of its policy relating to lateral positions. In
138 adopting the policy, the board shall give consideration to the
139 rank of each position in terms of title; nature of
140 responsibilities; salary level; certification, licensure or both;
141 and days in the period of employment.

142 (1) After the twentieth day prior to the beginning of the
143 instructional term, no person employed and assigned to a
144 professional position may transfer to another professional
145 position in the county during that instructional term unless
146 the person holding that position does not have valid
147 certification. The provisions of this subsection are subject to
148 the following:

149 (1) The person may apply for any posted, vacant
150 positions with the successful applicant assuming the position
151 at the beginning of the next instructional term;

152 (2) Professional personnel who have been on an approved
153 leave of absence may fill these vacancies upon their return
154 from the approved leave of absence;

155 (3) The county board, upon recommendation of the
156 superintendent may fill a position before the next
157 instructional term when it is determined to be in the best
158 interest of the students. The county superintendent shall
159 notify the state board of each transfer of a person employed
160 in a professional position to another professional position
161 after the twentieth day prior to the beginning of the
162 instructional term;

163 (4) The provisions of this subsection do not apply to the
164 filling of a position vacated because of resignation or
165 retirement that became effective on or before the twentieth
166 day prior to the beginning of the instructional term, but not
167 posted until after that date; and

168 (5) The Legislature finds that it is not in the best interest of the
169 students particularly in the elementary grades to have multiple
170 teachers for any one grade level or course during the instructional
171 term. It is the intent of the Legislature that the filling of positions
172 through transfers of personnel from one professional position to
173 another after the twentieth day prior to the beginning of the
174 instructional term should be kept to a minimum.

175 (m) All professional personnel whose seniority with the
176 county board is insufficient to allow their retention by the

177 county board during a reduction in work force shall be placed
178 upon a preferred recall list. As to any professional position
179 opening within the area where they had previously been
180 employed or to any lateral area for which they have
181 certification, licensure or both, the employee shall be recalled
182 on the basis of seniority if no regular, full-time professional
183 personnel, or those returning from leaves of absence with
184 greater seniority, are qualified, apply for and accept the
185 position.

186 (n) Before position openings that are known or expected
187 to extend for twenty consecutive employment days or longer
188 for professional personnel may be filled by the board, the
189 board shall be required to notify all qualified professional
190 personnel on the preferred list and give them an opportunity
191 to apply, but failure to apply shall not cause the employee to
192 forfeit any right to recall. The notice shall be sent by
193 certified mail to the last known address of the employee, and
194 it shall be the duty of each professional personnel to notify
195 the board of continued availability annually, of any change in
196 address or of any change in certification, licensure or both.

197 (o) Openings in established, existing or newly created
198 positions shall be processed as follows:

199 (1) Boards shall be required to post and date notices
200 which shall be subject to the following:

201 (A) The notices shall be posted in conspicuous working
202 places for all professional personnel to observe for at least
203 five working days;

204 (B) The notice shall be posted within twenty working
205 days of the position openings and shall include the job
206 description;

207 (C) Any special criteria or skills that are required by the
208 position shall be specifically stated in the job description and
209 directly related to the performance of the job;

210 (D) Postings for vacancies made pursuant to this section
211 shall be written so as to ensure that the largest possible pool
212 of qualified applicants may apply; and

213 (E) Job postings may not require criteria which are not
214 necessary for the successful performance of the job and may
215 not be written with the intent to favor a specific applicant;

216 (2) No vacancy shall be filled until after the five-day
217 minimum posting period;

218 (3) If one or more applicants meets the qualifications
219 listed in the job posting, the successful applicant to fill the
220 vacancy shall be selected by the board within thirty working
221 days of the end of the posting period;

222 (4) A position held by a teacher who is certified, licensed
223 or both, who has been issued a permit for full-time
224 employment and is working toward certification in the permit
225 area shall not be subject to posting if the certificate is
226 awarded within five years; and

227 (5) Nothing provided herein shall prevent the county board
228 of education from eliminating a position due to lack of need.

229 (p) Notwithstanding any other provision of the code to
230 the contrary, where the total number of classroom teaching
231 positions in an elementary school does not increase from one
232 school year to the next, but there exists in that school a need
233 to realign the number of teachers in one or more grade levels,
234 kindergarten through six, teachers at the school may be
235 reassigned to grade levels for which they are certified without
236 that position being posted: *Provided*, That the employee and
237 the county board of education mutually agree to the
238 reassignment.

239 (q) Reductions in classroom teaching positions in
240 elementary schools shall be processed as follows:

241 (1) When the total number of classroom teaching
242 positions in an elementary school needs to be reduced, the

243 reduction shall be made on the basis of seniority with the
244 least senior classroom teacher being recommended for
245 transfer; and

246 (2) When a specified grade level needs to be reduced and
247 the least senior employee in the school is not in that grade
248 level, the least senior classroom teacher in the grade level that
249 needs to be reduced shall be reassigned to the position made
250 vacant by the transfer of the least senior classroom teacher in
251 the school without that position being posted: *Provided*, That
252 the employee is certified, licensed or both and agrees to the
253 reassignment.

254 (r) Any board failing to comply with the provisions of
255 this article may be compelled to do so by mandamus and shall
256 be liable to any party prevailing against the board for court
257 costs and reasonable attorney fees as determined and
258 established by the court. Further, employees denied
259 promotion or employment in violation of this section shall be
260 awarded the job, pay and any applicable benefits retroactive
261 to the date of the violation and payable entirely from local
262 funds. Further, the board shall be liable to any party
263 prevailing against the board for any court reporter costs
264 including copies of transcripts.

265 (s) The county board shall compile, update annually on
266 July 1 and make available by electronic or other means to all
267 employees a list of all professional personnel employed by
268 the county, their areas of certification and their seniority.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2012.

Governor