

H. B. 4119

(BY DELEGATES PERRY AND LAWRENCE)

[Introduced January 18, 2012; referred to the
Committee on Education.]

A BILL to amend and reenact §18-1-1 of the Code of West Virginia,
1931, as amended, relating to providing definition of athletic
director employed in the public schools; and responsibilities.

Be it enacted by the Legislature of West Virginia:

That §18-1-1 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

**ARTICLE 1. DEFINITIONS; LIMITATIONS OF CHAPTER;
GOALS FOR EDUCATION.**

§18-1-1. Definitions.

- 1 The following words used in this chapter and in any
- 2 proceedings pursuant thereto have the meanings ascribed to
- 3 them unless the context clearly indicates a different meaning:

4 (a) "School" means the students and teachers assembled
5 in one or more buildings, organized as a unit;

6 (b) "District" means county school district;

7 (c) "State board" means the West Virginia Board of
8 Education;

9 (d) "County board" or "board" means a county board of
10 education;

11 (e) "State superintendent" means the state superintendent
12 of free Schools;

13 (f) "County superintendent" or "superintendent" means
14 a county superintendent of schools;

15 (g) "Teacher" means a teacher, supervisor, principal,
16 superintendent, public school librarian or any other person
17 regularly employed for instructional purposes in a public
18 school in this state;

19 (h) "Service person" or "service personnel," whether
20 singular or plural, means any nonteaching school employee
21 who is not included in the meaning of "teacher" as defined in

22 this section, and who serves the school or schools as a whole,
23 in a nonprofessional capacity, including such areas as
24 secretarial, custodial, maintenance, transportation, school
25 lunch and aides. Any reference to “service employee” or
26 “service employees” in this chapter or chapter eighteen-a of
27 this code means service person or service personnel as
28 defined in this section;

29 (i) “Social worker” means a nonteaching school
30 employee who, at a minimum, possesses an undergraduate
31 degree in social work from an accredited institution of higher
32 learning and who provides various professional social work
33 services, activities or methods as defined by the state board
34 for the benefit of students;

35 (j) “Regular full-time employee” means any person
36 employed by a county board who has a regular position or
37 job throughout his or her employment term, without regard
38 to hours or method of pay;

39 (k) “Career clusters” means broad groupings of related
40 occupations;

41 (l) “Work-based learning” means a structured activity
42 that correlates with and is mutually supportive of the school-
43 based learning of the student and includes specific objectives
44 to be learned by the student as a result of the activity;

45 (m) “School-age juvenile” means any individual who is
46 entitled to attend or who, if not placed in a residential
47 facility, would be entitled to attend public schools in
48 accordance with: (1) Section five, article two of this chapter;
49 (2) sections fifteen and eighteen, article five of this chapter;
50 or (3) section one, article twenty of this chapter;

51 (n) “Student with a disability” means an exceptional
52 child, other than gifted, pursuant to section one, article
53 twenty of this chapter;

54 (o) “Casual deficit” means a deficit of not more than
55 three percent of the approved levy estimate or a deficit that
56 is nonrecurring from year to year; and

57 (p) “Athletic director” means a person employed by the
58 county board of education who, under the supervision of the

59 school principal and in accordance with the rules of the
60 county board, is responsible for the planning, management,
61 operation and evaluation of the athletic program for the
62 school or schools to which he or she is assigned. The
63 responsibilities of an athletic director may include, but are
64 not limited to: (1) Supervising of athletic games; (2)
65 overseeing the athletic budget; (3) hiring game officials; (4)
66 scheduling athletic contests; (5) knowing and upholding all
67 county, West Virginia Secondary Schools Activities
68 Commission (WVSSAC) and league rules; (6) maintaining
69 proper records as required by West Virginia Secondary
70 Schools Activities Commission (WVSSAC) participation; (7)
71 scheduling transportation for athletic teams; (8) preparing
72 and verifying athletic eligibility lists; (9) supervising coaches
73 and, if appropriately certified, observing and evaluating
74 coaches; (10) securing all needed personnel for basic athletic
75 event operations; (11) procuring and caring for athletic
76 equipment; and (12) performing other duties involving

77 athletics as assigned by the principal or as a part of a county

78 job description for athletic directors.

NOTE: The purpose of this bill is to provide a definition for an athletic director who is employed by a county board of education and is responsible for the planning, management, operation and evaluation of the athletic program for the school or schools to which he or she is assigned.

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