

1 **H. B. 4120**

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3 (By Delegates Kump, Folk, Faircloth, Rowan,
4 Canterbury, Romine and Frich)
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7 [Introduced January 9, 2014; referred to the
8 Committee on Education then the Judiciary.]
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10 A BILL to amend and reenact §18-3-1 of the Code of West Virginia,
11 1931, as amended, relating to requiring the State
12 Superintendent of Schools to be elected on a nonpartisan basis
13 for four year terms.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §18-3-1 of the Code of West Virginia, 1931, as amended,
16 be amended and reenacted to read as follows:

17 **ARTICLE 3. STATE SUPERINTENDENT OF SCHOOLS.**

18 **§18-3-1. Appointment; qualifications; compensation; traveling**
19 **expenses; office and residence; evaluation.**

20 (a) There shall be appointed by the state board a State
21 Superintendent of Schools who serves at the will and pleasure of
22 the state board. He or she shall be a person of good moral
23 character, shall be able to perform the duties listed in this

1 article and possess such other educational, administrative,
2 experiential and other qualifications as determined by the State
3 Board of Education. He or she shall hold at least a master's
4 degree from a regionally accredited institution of higher education
5 or equivalent degree as determined by the state board. He or she
6 shall receive an annual salary set by the state board, to be paid
7 monthly. The state superintendent also shall receive necessary
8 traveling expenses incident to the performance of his or her duties
9 to be paid out of the General School Fund upon warrants of the
10 State Auditor. The state superintendent shall have his or her
11 office at the State Capitol. The state board shall report to the
12 Legislative Oversight Commission on Education Accountability upon
13 request concerning its progress during any hiring process for a
14 state superintendent.

15 **(b)** The state board annually shall evaluate the performance of
16 the state superintendent and publicly announce the results of the
17 evaluation.

18 **(c)** Beginning in 2018 the State Superintendent of Schools
19 shall be elected on a nonpartisan basis for four year terms.

NOTE: The purpose of this bill is to provide that beginning in
2018 the State Superintendent of Schools will be elected on a
nonpartisan basis for four-year terms.

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