

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

### **Introduced**

## **House Bill 4363**

BY DELEGATES G. WARD, JENNINGS, SYPOLT,  
BARNHART, HAYNES, CONLEY, KIMBLE, MAZZOCCHI,  
MARTIN, LONGANACRE, AND BOOTH

[Introduced January 24, 2022; Referred to the  
Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new  
 2 sections, designated §18A-2-16 and §18A-4-23, all relating to public school teachers and  
 3 service personnel who accept subsequent employment in a public charter school; allowing  
 4 those teachers and service personnel to retain their benefits without penalty.

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

**ARTICLE 2. SCHOOL PERSONNEL.**

**§18A-2-16. Transfer to public charter school.; retention of benefits.**

1 A teacher or person employed as service personnel, who has been previously employed  
 2 under this article, may be subsequently employed as teacher or service personnel by a public  
 3 charter school, as public charter school is defined §18-5G-1 et seq. of this code.

**ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

**§18A-4-23. Transfer to public charter school; retention of benefits.**

1 Notwithstanding any other provision of this code to the contrary, a teacher or service  
 2 personnel who is subsequently employed as teacher or service personnel by a public charter  
 3 school in this state, as public charter school is defined §18-5G-1 et seq. of this code, shall retain  
 4 all benefits and rights, and salary, wage benefits, including those under the public employees'  
 5 insurance act, public employees' retirement act, annual leave, vacation, or all other additional  
 6 rights, privileges, or obligations not herein expressly stated or identified, which applied as an  
 7 employee of the public school system.

NOTE: The purpose of this bill is to allow public school teachers and service personnel who accept subsequent employment in a public charter school to retain their benefits without penalty.

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