

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3546

By Delegates Clark, Ferrell, Longanacre, Maynor,

Jennings, Walker, Hornby, Ellington and Willis

[Introduced February 14, 2023; Referred to the

Committee on Education]

1 A BILL amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18A-2-3a, relating to providing for contracted employment of substitute
3 teachers for 180 instructional days; requiring employment in schools of certain size and
4 describing duration, nature, qualifications, and daily rate of pay of 180-day contract
5 substitute teacher.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-3a. Employment of 180-day contracted substitute teachers.

1 Each county board of education shall employ at every school in the county with greater
2 than 200 students a substitute teacher contracted for 180 instructional days in accordance with the
3 following:

4 (1) The 180-day substitute teacher shall be employed under a contract of employment for
5 180 instructional days consistent with the instructional days enumerated in the school calendar of
6 the county;

7 (2) The 180-day substitute teacher shall not be considered a regular employee of the
8 county, is not entitled to any of the rights, privileges, and benefits of regular employment and shall
9 not accrue seniority;

10 (3) The 180-day substitute teacher shall work under the direction of the school principal to
11 provide substitute teacher service as needed to cover teacher absences and, when not needed for
12 substitute teacher service, to perform other duties at the direction of the principal which may be
13 non-instruction duties which would otherwise be assigned to regularly employed classroom
14 teachers and school counselors;

15 (4) The 180-day substitute teacher shall not be considered a long-term substitute as
16 defined in §18A-1-1 of this code;

17 (5) The 180-day substitute teacher shall meet all requirements necessary for employment
18 in the public schools as a substitute teacher; and

19 (6) The daily rate of pay of a 180-day substitute teacher shall be the amount paid by the
20 county for substitute teachers as provided in §18A-4-7 of this code who teach less than 10
21 consecutive days plus at least five percent.

NOTE: The purpose of this bill is to require the contracted employment substitute teachers for 180 instructional days at all schools with more than 200 students..

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