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SENATE BILL NO. 885

Offered January 15, 1997

A BILL to amend and reenact § 22.1-302 of the Code of Virginia, relating to employment of teachers and other school personnel.

Patrons—Newman, Barry, Chichester, Martin, Quayle and Woods; Delegate: Crouch

Referred to the Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-302 of the Code of Virginia is amended and reenacted as follows:**

§ 22.1-302. Written contracts required; execution of contracts; rules and regulations.

A. A written contract, in a form prescribed by the Board of Education, shall be made by the school board with each teacher employed by it, except those who are temporarily employed, before such teacher enters upon his duties. Such contract shall be signed in duplicate, with a copy thereof furnished to both parties. A temporarily employed teacher, as used in this section, shall mean (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than ninety teaching days in such vacancy during one school year. The Board of Education shall promulgate regulations regarding temporarily employed teachers, as defined in this section.

B. A separate contract in a form prescribed by the Board of Education shall be executed by the school board with such employee who is receiving a monetary supplement for any athletic coaching or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching.

Termination of a separate contract for any athletic coaching or extracurricular activity sponsorship assignment by either party thereto shall not constitute cause for termination of the separate teaching contract of the coach or teacher.

All such contracts shall require the party intending to terminate the coaching or extracurricular activity sponsorship contract to give reasonable notice to the other party before termination thereof shall become effective.

For the purposes of this section, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

C. No teacher shall be required to perform nonemergency health-related assistance to a student unless such duties are included in the teacher's contract. Upon being requested to perform health-related assistance to a student that is not included in such contract, the teacher may voluntarily perform such assistance.

For the purposes of this section, "health-related assistance" means those services which can be performed for the child by a family member or other layman, whether requiring training or not.

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