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SB 783

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SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
Regular Session, 2006

ENROLLED

SENATE BILL NO. 783

(By Senator Plymuck, et al)

PASSED March 11, 2006

In Effect 90 days from Passage

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 783

(BY SENATORS PLYMALE, EDGELL, DEMPSEY,
OLIVERIO, BOLEY, GUILLS AND SPROUSE)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §18A-4-2a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18A-4-2b, all relating to defining completion of the National Board for Professional Teaching Standards certification; establishing state minimum salary supplement for professional personnel holding certain advanced certification in speech-language pathology, audiology or counseling; reimbursement for certain expenses; limitations; applicability; and state board rule.

Be it enacted by the Legislature of West Virginia:

That §18A-4-2a of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new section, designated §18A-4-2b, all to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-2a. State minimum salary bonus for classroom teachers with national board certification.

1 (a) The Legislature hereby finds and declares that the
2 rigorous standards and processes for certification by the
3 National Board for Professional Teaching Standards
4 (NBPTS) helps to promote the quality of teaching and
5 learning. Therefore, classroom teachers in the public
6 schools of West Virginia should be encouraged to achieve
7 national board certification through a reimbursement of
8 expenses and an additional salary bonus which reflects
9 their additional certification, to be paid in accordance
10 with the provisions of this section.

11 (b) Two thousand five hundred dollars shall be paid
12 annually to each classroom teacher who holds a valid
13 certificate issued by the National Board of Professional
14 Teaching Standards for the life of the certification, but in
15 no event more than ten years for any one certification.

16 (c) The payments:

17 (1) Shall be in addition to any amounts prescribed in the
18 applicable state minimum salary schedule;

19 (2) Shall be paid in equal monthly installments; and

20 (3) Shall be considered a part of the state minimum
21 salaries for teachers.

22 (d) One-half the certification fee shall be paid for
23 reimbursement once to each teacher who enrolls in the
24 program for the National Board for Professional Teaching
25 Standards certification and one-half the certification fee
26 shall be paid for reimbursement once to each teacher who
27 completes the National Board for Professional Teaching
28 Standards certification. Completion shall be defined as
29 the completion of ten scorable entries, as verified by the
30 National Board for Professional Teaching Standards.
31 Teachers who achieve National Board for Professional
32 Teaching Standards certification may be reimbursed a

33 maximum of six hundred dollars for expenses actually
34 incurred while obtaining the National Board for Profes-
35 sional Teaching Standards certification.

36 (e) The state board shall limit the number of teachers
37 who receive the initial reimbursements of the certification
38 fees set forth in subsection (d) to two hundred teachers
39 annually. The state board shall establish selection criteria
40 for the teachers by the legislative rule required pursuant
41 to subsection (g) of this section.

42 (f) Subject to the provisions of subsection (e) of this
43 section, funding for reimbursement of the certification fee
44 and expenses actually incurred while obtaining the
45 National Board for Professional Teaching Standards
46 certifications shall be administered by the state depart-
47 ment of education from an appropriation established for
48 that purpose by the Legislature. If funds appropriated by
49 the Legislature to accomplish the purposes of this subsec-
50 tion are insufficient, the state department shall prorate the
51 reimbursements for expenses and shall request of the
52 Legislature, at its next regular session, funds sufficient to
53 accomplish the purposes of this subsection, including
54 needed retroactive payments.

55 (g) The state board shall promulgate legislative rules
56 pursuant to article three-b, chapter twenty-nine-a of this
57 code to implement the provisions of this section.

**§18A-4-2b. State minimum salary supplement for professional
personnel with recognized national certification
in speech-language pathology, audiology or
counseling.**

1 (a) (1) The Legislature finds that achieving a nationally
2 recognized professional certification in speech-language
3 pathology or audiology involves a rigorous process of
4 demonstrating both knowledge and skills and results in
5 highly trained and capable employees. Individuals who
6 attain the national professional certification by the

7 American Speech-Language-Hearing Association (ASHA)
8 provide needed and essential services to the school stu-
9 dents of this state and, consequently, should be encour-
10 aged to achieve and maintain the national board certifica-
11 tion through reimbursement of expenses and a salary
12 bonus which reflects their additional certification, to be
13 paid in accordance with subsection (b) of this section.

14 (2) The Legislature further finds and declares that the
15 rigorous standards and processes for advanced certifica-
16 tion by either the National Board of Certified Counselors
17 (NBCC) or the West Virginia Board of Examiners in
18 Counseling (WVBEC) helps to promote the quality of
19 counseling in schools. Counselors in the public schools of
20 West Virginia should be encouraged to achieve and
21 maintain the advanced certification through reimburse-
22 ment of expenses and a salary bonus that reflects their
23 additional certification, to be paid in accordance with
24 subsection (b) of this section.

25 (3) Therefore, the purpose of this section is to provide a
26 statewide salary supplement for certain professional
27 personnel employed in the public schools who hold a
28 nationally recognized professional certification in
29 speech-language pathology, audiology or counseling, to
30 treat the professional certification equally, to encourage
31 others to attain such a certification and to help school
32 systems with recruitment of these highly qualified profes-
33 sionals.

34 (b) In addition to any amounts prescribed in the applica-
35 ble state minimum salary schedule, effective the first day
36 of July, two thousand six, any professional personnel who
37 hold national certification or other credential as provided
38 in this section must be paid an annual salary supplement
39 of two thousand five hundred dollars. The payment is:

40 (1) To be made in equal monthly installments;

41 (2) To be considered a part of the state minimum salaries
42 for teachers; and

43 (3) To continue for the life of the certification, or for ten
44 years for any one certification, whichever first expires.

45 (c) Effective the first day of July, two thousand six,
46 professional personnel employed as speech-language
47 pathologists, audiologists or counselors are eligible upon
48 enrollment for reimbursement for one-half of the fee for
49 certification in accordance with this section. In addition,
50 these personnel are eligible upon attainment of the certifi-
51 cation for reimbursement of the remainder of the applica-
52 tion fee plus other expenses actually incurred toward
53 attainment of the certification, not exceeding six hundred
54 dollars, upon approval by the Department of Education.
55 No more than one hundred speech-language pathologists,
56 audiologists and counselors, combined total, are eligible
57 for reimbursement in any one fiscal year.

58 (d) Notwithstanding subsection (b) of this section, no
59 more than one hundred speech-language pathologists,
60 audiologists and counselors, combined total, shall be paid
61 the annual salary supplement provided for in said subsec-
62 tion during the first year of implementation. The number
63 of speech-language pathologists, audiologists and counsel-
64 ors paid the annual salary supplement provided for in said
65 subsection may not exceed an additional one hundred
66 qualified recipients in each of the subsequent fiscal years.
67 The state board shall promulgate a legislative rule estab-
68 lishing criteria for selection of the individuals eligible for
69 reimbursement and a salary supplement in accordance
70 with this section. The selection criteria shall prioritize the
71 length of time the certification has been held and the years
72 of experience of the holder in determining eligibility.

73 (e) The board shall report the rule to the Legislative
74 Oversight Commission on Education Accountability by the
75 January, two thousand seven, legislative interim meeting
76 period and shall report on its progress in developing the
77 rule to the commission during each prior interim meeting
78 period.

79 (f) Payment of the supplement and reimbursement
80 provided in this section is subject to legislative appropria-
81 tion; therefore nothing in this section requires any appro-
82 priation, or any specific level of appropriation, by the
83 Legislature.

84 (g) Notwithstanding any other provision of this section
85 or the provisions of section two-a of this article, profes-
86 sional personnel may not be paid a salary supplement
87 pursuant to the provisions of both said sections.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chandy White

.....
Chairman Senate Committee

U. Beery

.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrell E. Adams

.....
Clerk of the Senate

Samuel M. Long

.....
Clerk of the House of Delegates

Earl Ray Tomblin

.....
President of the Senate

Robert C. Byrd

.....
Speaker House of Delegates

The within *is approved* this the *4th*

Day of *April*, 2006.

Paul S. Hancock

.....
Governor

PRESENTED TO THE
GOVERNOR

APR 03 2006

Time 2:10 pm