

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2500**

4 (By Delegates M. Poling, Paxton and Duke)

5
6 (Originating in the Committee on Finance)

7 [February 28, 2011]

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9
10 A BILL to amend and reenact §18A-4-2a and §18A-4-2b of the Code of
11 West Virginia, 1931, as amended, all relating to national
12 certification of teachers and professional personnel
13 generally; continuing salary bonus for renewed National Board
14 of Professional Teaching Standards Certificates; providing for
15 reimbursement of renewal fees; continuing bonus eligibility if
16 a holder accepts employment as principal or in another school
17 or board level instructional leadership position; and
18 continuing the salary supplement for nationally-certified
19 professional personnel.

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

21 That §18A-4-2a and §18A-4-2b of the Code of West Virginia,
22 1931, as amended, be amended and reenacted to read as follows:

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

24 **§18A-4-2a. State minimum salary bonus for classroom teachers with**
25 **national board certification.**

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

10 (b) (1) A salary bonus of \$3,500 ~~Three thousand five hundred~~
11 ~~dollars~~ shall be paid annually to each classroom teacher who holds
12 a valid certificate issued by the National Board of Professional
13 Teaching Standards for the life of the certification, but in no
14 event more than ten years for any one certification.

15 (2) A salary bonus of \$3,500 shall be paid annually to each
16 classroom teacher who holds a valid renewal certificate issued by
17 the National Board of Professional Teaching Standards for the life
18 of the renewal certificate, but in no event more than ten years for
19 any one renewal certificate.

20 (c) The payments:

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

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

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

26 (d) For initial certification, one-half the certification fee

1 shall be paid for reimbursement once to each teacher who enrolls in
2 the program for the National Board for Professional Teaching
3 Standards certification and one-half the certification fee shall be
4 paid for reimbursement once to each teacher who completes the
5 National Board for Professional Teaching Standards certification.
6 Completion shall be defined as the completion of ten scorable
7 entries, as verified by the National Board for Professional
8 Teaching Standards. Teachers who achieve National Board for
9 Professional Teaching Standards certification may be reimbursed a
10 maximum of \$600 for expenses actually incurred while obtaining the
11 National Board for Professional Teaching Standards certification.

12 (e) For renewal certification, each teacher who completes the
13 National Board for Professional Teaching Standards certification
14 renewal process shall be reimbursed for the renewal certification
15 fee. Completion of the certification renewal process means the
16 successful renewal of the ten-year NBPTS certification as verified
17 by the National Board for Professional Teaching Standards.

18 ~~(e)~~ (f) The state board shall limit the number of teachers who
19 ~~receive the initial reimbursements of the certification fees~~ are
20 reimbursed for the first one half of the fee for initial
21 certification, as set forth in subsection (d) of this section, to
22 two hundred teachers annually. The state board shall establish
23 selection criteria for the teachers by the legislative rule
24 required pursuant to subsection ~~(g)~~ (i) of this section.

25 ~~(f)~~ (g) Subject to the provisions of subsection ~~(e)~~ (f) of
26 this section, funding for reimbursement of the certification fee

1 and expenses actually incurred while obtaining the National Board
2 for Professional Teaching Standards certifications shall be
3 administered by the State Department of Education from an
4 appropriation established for that purpose by the Legislature. If
5 funds appropriated by the Legislature to accomplish the purposes of
6 this subsection are insufficient, the state department shall
7 prorate the reimbursements for expenses and shall request of the
8 Legislature, at its next regular session, funds sufficient to
9 accomplish the purposes of this subsection, including needed
10 retroactive payments.

11 (h) A classroom teacher who holds certification by the
12 National Board for Professional Teaching Standards and accepts
13 employment as a principal, an assistant principal, or in another
14 instructional leadership position at either the school or board
15 level, shall remain eligible for the additional salary bonus for
16 NBPTS certification for the life of the certificate held.

17 ~~(g)~~ (i) The state board shall promulgate legislative rules
18 pursuant to article three-b, chapter twenty-nine-a of this code to
19 implement the provisions of this section.

20 **§18A-4-2b. State minimum salary supplement and educational expense**
21 **reimbursement for professional personnel with**
22 **recognized national certification in speech-language**
23 **pathology, audiology, counseling, school psychology**
24 **or school nursing.**

25 (a) (1) The Legislature finds that achieving a nationally

1 recognized professional certification in speech-language pathology
2 or audiology involves a rigorous process of demonstrating both
3 knowledge and skills and results in highly trained and capable
4 employees. Individuals who attain national professional
5 certification by the American Speech-Language-Hearing Association
6 provide needed and essential services to the school students of
7 this state. Individuals should be encouraged to achieve and
8 maintain the national professional certification through
9 reimbursement of expenses and a salary bonus which reflects their
10 additional certification.

11 (2) The Legislature finds that the rigorous standards and
12 processes for advanced certification by either the National Board
13 of Certified Counselors or the West Virginia Board of Examiners in
14 Counseling ~~helps~~ help to promote the quality of counseling in
15 schools. Counselors in the public schools of West Virginia should
16 be encouraged to achieve and maintain the advanced certification
17 through reimbursement of expenses and a salary bonus that reflects
18 their additional certification.

19 (3) The Legislature finds that achieving a nationally
20 recognized professional certification in school psychology involves
21 a rigorous process of demonstrating competencies in scientific
22 research-based knowledge and skills. School psychologists provide
23 assessment, counseling and consultation to students, teachers,
24 school administrators and parents. Individuals who attain national
25 professional certification by the National Association of School
26 Psychologists provide services to students, families and school

1 systems in this state. School psychologists should be encouraged
2 to achieve and maintain this national professional certification
3 through reimbursement of expenses and a salary bonus which reflects
4 their additional certification.

5 (4) The Legislature finds that achieving a nationally
6 recognized professional certification in school nursing involves a
7 rigorous process of demonstrating competencies in health care and
8 nursing applications, knowledge and skills. School nurses provide
9 assessment, counseling and consultation to students, teachers,
10 school administrators and parents. School nurses who attain
11 national professional certification by the National Board for
12 Certification of School Nurses provide services to students,
13 families and school systems in this state. School nurses should be
14 encouraged to achieve and maintain this national professional
15 certification through reimbursement of expenses and a salary bonus
16 which reflects their additional certification.

17 (5) Therefore, the purpose of this section is:

18 (A) To provide a statewide salary supplement for certain
19 professional personnel employed in the public schools who hold
20 nationally recognized professional certification in speech-language
21 pathology, audiology, counseling, school psychology or school
22 nursing;

23 (B) To treat these professional certifications equally;

24 (C) To encourage others to attain such a certification; and

25 (D) To help school systems recruit these highly qualified
26 professionals.

1 (b) In addition to any amounts prescribed in the applicable
2 state minimum salary schedule, any professional personnel who hold
3 national certification or other credential as provided in this
4 section shall be paid an annual salary supplement of \$2,500. The
5 payment is:

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

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

9 (3) To continue for the life of the certification, ~~or for ten~~
10 ~~years for any one certification, whichever first expires~~ or the
11 life of the renewal certification.

12 (c) Professional personnel employed as speech-language
13 pathologists, audiologists, counselors, school psychologists or
14 school nurses are eligible upon enrollment for reimbursement for
15 one-half of the fee for certification in accordance with this
16 section. In addition, these personnel are eligible upon attainment
17 of the certification for reimbursement of the remainder of the
18 application fee plus other expenses actually incurred toward
19 attainment of the certification, not exceeding \$600, upon approval
20 by the Department of Education. Not more than one hundred fifteen
21 speech-language pathologists, audiologists, counselors, school
22 psychologists and school nurses, combined total, are eligible for
23 reimbursement in any one fiscal year.

24 (d) Notwithstanding subsection (b) of this section, for the
25 school year beginning July 1, 2008, the number of speech-language
26 pathologists, audiologists, counselors, school psychologists and

1 school nurses paid the annual salary supplement provided for in
2 said subsection may not exceed the number of speech-language
3 pathologists, audiologists and counselors eligible to be paid the
4 annual salary supplement under the provisions of this section in
5 effect during the school year beginning July 1, 2007, by more than
6 one hundred fifteen qualified recipients, and the total amount of
7 qualified recipients may not increase thereafter by more than one
8 hundred fifteen in each subsequent fiscal year.

9 (e) The state board shall promulgate a legislative rule
10 establishing criteria for selection of the individuals eligible for
11 reimbursement and a salary supplement in accordance with this
12 section. The selection criteria shall prioritize the length of
13 time the certification has been held and the years of experience of
14 the holder in determining eligibility.

15 (f) The state board shall report the rule to the Legislative
16 Oversight Commission on Education Accountability by the January,
17 2009, legislative interim meeting period and shall report on its
18 progress in developing the rule to the commission during prior
19 interim meetings as requested.

20 (g) No provision of this section may be construed to require
21 any appropriation, or any specific level of appropriation, by the
22 Legislature, or payment of any supplement or reimbursement
23 described in this section for which a specific appropriation has
24 not been made.

25 (h) Notwithstanding any other provision of this section or the
26 provisions of section two-a of this article, professional personnel

1 may not be paid a salary supplement pursuant to the provisions of
2 both said sections.

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