

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 4070**

4 (By Delegates M. Poling and Guthrie)

5
6 (Originating in the Committee on Finance)

7 [February 14, 2012]

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9
10 A BILL to amend and reenact §18-10A-2a of the Code of West
11 Virginia, 1931, as amended, relating to changing the basis for
12 the county salary supplement equivalent pay rate for division
13 of rehabilitation teachers from the amount paid to teachers by
14 the board of education of the county in which facility in
15 which the teacher works is located to the amount paid to
16 teachers by the board of education of the county in which the
17 division of rehabilitation administrative headquarters are
18 located.

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

20 That §18-10A-2a of the Code of West Virginia, 1931, as
21 amended, be amended and reenacted to read as follows:

22 **ARTICLE 10A. REHABILITATION SERVICES.**

23 **§18-10A-2a. Rehabilitation teachers.**

24 (a) Notwithstanding any other provision of this code to the
25 contrary, beginning ~~July 1, 1996,~~ July 1, 2012, rehabilitation

1 teachers shall be paid at the equivalent rate of pay of teachers,
2 pursuant to section two, article four, ~~of this chapter:~~ chapter
3 eighteen-a of this code. ~~Provided, That~~ Rehabilitation teachers
4 shall be paid outside the public school support plan, defined in
5 section one, article nine-a of this chapter, and shall receive the
6 equivalent of the salary supplement paid to teachers employed by
7 the county board within the county where the ~~facility~~
8 administrative headquarters of the division ~~is~~ are located,
9 pursuant to section five-a, article four, ~~of this chapter:~~ chapter
10 eighteen-a of this code. ~~Provided, however, That Any person who~~
11 ~~received an increase in salary, pursuant to section seventeen,~~
12 ~~article four, chapter eighteen-a of this code, prior to July 1,~~
13 ~~1996, shall continue to receive the increased salary level.~~

14 (b) For purposes of this section, the following words shall be
15 construed as follows:

16 (a) (1) "Rehabilitation teacher" means any person employed by
17 the division and who meets the certification requirements of
18 section two-a, article three, chapter eighteen-a of this code, or
19 who has been certified to teach by a state or nationally recognized
20 organization, as approved by the office of the secretary of
21 education and the arts. ~~Such~~ The teachers shall maintain current
22 certification in their teaching areas in order to remain employed
23 ~~Such persons also shall~~ and may teach only in the areas in which
24 they are certified: ~~Provided, That~~ teachers who were employed on
25 or before April 1, 1995, ~~shall be~~ are exempt from the following
26 requirements:

1 ~~(1)~~ (A) Certification pursuant to section two-a, article
2 three, chapter eighteen-a of this code;

3 ~~(2)~~ (B) Maintenance of current certification in their teaching
4 areas in order to remain employed; and

5 ~~(3)~~ (C) Teaching only in the areas in which they are
6 certified.

7 ~~(b)~~ (2) "Equivalent rate of pay" means an annualized rate
8 based on a two hundred forty-day teaching schedule and includes pay
9 for vacation and legal state holidays.