

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2037

BY DELEGATES THOMPSON AND ROHRBACH

[Introduced January 9, 2019; Referred
to the Committee on Education then Finance.]

1 A BILL to amend and reenact §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as
2 amended, all relating to creating an additional class of special education classroom aides
3 and to specify the pay grade for this class of school service personnel.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-8. Employment term and class titles of service personnel; definitions.

1 (a) The purpose of this section is to establish an employment term and class titles for
2 service personnel. The employment term for service personnel may not be less than 10 months.
3 A month is defined as 20 employment days. The county board may contract with all or part of
4 these service personnel for a longer term.

5 (b) Service personnel employed on a yearly or 12-month basis may be employed by
6 calendar months. Whenever there is a change in job assignment during the school year, the
7 minimum pay scale and any county supplement are applicable.

8 (c) Service personnel employed in the same classification for more than the 200 day
9 minimum employment term are paid for additional employment at a daily rate of not less than the
10 daily rate paid for the 200 day minimum employment term.

11 (d) A service person may not be required to report for work more than five days per week
12 without his or her agreement, and no part of any working day may be accumulated by the
13 employer for future work assignments, unless the employee agrees thereto.

14 (e) If a service person whose regular work week is scheduled from Monday through Friday
15 agrees to perform any work assignments on a Saturday or Sunday, the service person is paid for
16 at least one-half day of work for each day he or she reports for work. If the service person works
17 more than three and one-half hours on any Saturday or Sunday, he or she is paid for at least a
18 full day of work for each day.

19 (f) A custodian, aide, maintenance, office and school lunch service person required to
20 work a daily work schedule that is interrupted is paid additional compensation in accordance with

21 this subsection.

22 (1) A maintenance person means a person who holds a classification title other than in a
23 custodial, aide, school lunch, office or transportation category as provided in §18A-1-1 *et seq.* of
24 this code.

25 (2) A service person's schedule is considered to be interrupted if he or she does not work
26 a continuous period in one day. Aides are not regarded as working an interrupted schedule when
27 engaged exclusively in the duties of transporting students;

28 (3) The additional compensation provided in this subsection:

29 (A) Is equal to at least one eighth of a service person's total salary as provided by the state
30 minimum pay scale and any county pay supplement; and

31 (B) Is payable entirely from county board funds.

32 (g) When there is a change in classification or when a service person meets the
33 requirements of an advanced classification, his or her salary shall be made to comply with the
34 requirements of this article and any county salary schedule in excess of the minimum
35 requirements of this article, based upon the service person's advanced classification and
36 allowable years of employment.

37 (h) A service person's contract, as provided in §18A-2-5 of this code, shall state the
38 appropriate monthly salary the employee is to be paid, based on the class title as provided in this
39 article and on any county salary schedule in excess of the minimum requirements of this article.

40 (i) The column heads of the state minimum pay scale and class titles, set forth in
41 §18A-4-8a of this code, are defined as follows:

42 (1) "Pay grade" means the monthly salary applicable to class titles of service personnel;

43 (2) "Years of employment" means the number of years which an employee classified as a
44 service person has been employed by a county board in any position prior to or subsequent to
45 the effective date of this section and includes service in the Armed Forces of the United States, if
46 the employee was employed at the time of his or her induction. For the purpose of §18A-4-8a of

47 this code, years of employment is limited to the number of years shown and allowed under the
48 state minimum pay scale as set forth in §18A-4-8a of this code;

49 (3) "Class title" means the name of the position or job held by a service person;

50 (4) "Accountant I" means a person employed to maintain payroll records and reports and
51 perform one or more operations relating to a phase of the total payroll;

52 (5) "Accountant II" means a person employed to maintain accounting records and to be
53 responsible for the accounting process associated with billing, budgets, purchasing and related
54 operations;

55 (6) "Accountant III" means a person employed in the county board office to manage and
56 supervise accounts payable, payroll procedures, or both;

57 (7) "Accounts payable supervisor" means a person employed in the county board office
58 who has primary responsibility for the accounts payable function and who either has completed
59 twelve college hours of accounting courses from an accredited institution of higher education or
60 has at least eight years of experience performing progressively difficult accounting tasks.
61 Responsibilities of this class title may include supervision of other personnel;

62 (8) "Aide I" means a person selected and trained for a teacher-aide classification such as
63 monitor aide, clerical aide, classroom aide or general aide;

64 (9) "Aide II" means a service person referred to in the "Aide I" classification who has
65 completed a training program approved by the state board, or who holds a high school diploma
66 or has received a general educational development certificate. Only a person classified in an Aide
67 II class title may be employed as an aide in any special education program

68 (10) "Aide III" means a service person referred to in the "Aide I" classification who holds a
69 high school diploma or a general educational development certificate; and

70 (A) Has completed six semester hours of college credit at an institution of higher
71 education; or

72 (B) Is employed as an aide in a special education program and has one year's experience

73 as an aide in special education;

74 (11) "Aide IV" means a service person referred to in the "Aide I" classification who holds a
75 high school diploma or a general educational development certificate; and

76 (A) Has completed 18 hours of State Board-approved college credit at a regionally
77 accredited institution of higher education, or

78 (B) Has completed fifteen hours of State Board-approved college credit at a regionally
79 accredited institution of higher education; and has successfully completed an in-service training
80 program determined by the state board to be the equivalent of three hours of college credit;

81 (12) "Aide V" means a special education classroom aide who has elected to complete
82 three e-learning classes, designed to improve skills and competencies related to the provision of
83 services to special needs students, provided through the Department of Education's Office of
84 Special Education;

85 ~~(12)~~ (13) "Audiovisual technician" means a person employed to perform minor
86 maintenance on audiovisual equipment, films, and supplies and who fills requests for equipment;

87 ~~(13)~~ (14) "Auditor" means a person employed to examine and verify accounts of individual
88 schools and to assist schools and school personnel in maintaining complete and accurate records
89 of their accounts;

90 ~~(14)~~ (15) "Autism mentor" means a person who works with autistic students and who meets
91 standards and experience to be determined by the state Board. A person who has held or holds
92 an aide title and becomes employed as an autism mentor shall hold a multiclassification status
93 that includes both aide and autism mentor titles, in accordance with §18A-4-8b of this code;

94 ~~(15)~~ (16) "Braille specialist" means a person employed to provide braille assistance to
95 students. A service person who has held or holds an aide title and becomes employed as a braille
96 specialist shall hold a multiclassification status that includes both aide and braille specialist title,
97 in accordance with §18A-4-8b of this code;

98 ~~(16)~~ (17) "Bus operator" means a person employed to operate school buses and other

99 school transportation vehicles as provided by the state board;

100 ~~(17)~~ (18) "Buyer" means a person employed to review and write specifications, negotiate
101 purchase bids and recommend purchase agreements for materials and services that meet
102 predetermined specifications at the lowest available costs;

103 ~~(18)~~ (19) "Cabinetmaker" means a person employed to construct cabinets, tables,
104 bookcases and other furniture;

105 ~~(19)~~ (20) "Cafeteria manager" means a person employed to direct the operation of a food
106 services program in a school, including assigning duties to employees, approving requisitions for
107 supplies and repairs, keeping inventories, inspecting areas to maintain high standards of
108 sanitation, preparing financial reports and keeping records pertinent to food services of a school;

109 ~~(20)~~ (21) "Carpenter I" means a person classified as a carpenter's helper;

110 ~~(21)~~ (22) "Carpenter II" means a person classified as a journeyman carpenter;

111 ~~(22)~~ (23) "Chief mechanic" means a person employed to be responsible for directing
112 activities which ensure that student transportation or other county board-owned vehicles are
113 properly and safely maintained;

114 ~~(23)~~ (24) "Clerk I" means a person employed to perform clerical tasks;

115 ~~(24)~~ (25) "Clerk II" means a person employed to perform general clerical tasks, prepare
116 reports and tabulations, and operate office machines;

117 ~~(25)~~ (26) "Computer operator" means a qualified person employed to operate computers;

118 ~~(26)~~ (27) "Cook I" means a person employed as a cook's helper;

119 ~~(27)~~ (28) "Cook II" means a person employed to interpret menus and to prepare and serve
120 meals in a food service program of a school. This definition includes a service person who has
121 been employed as a "Cook I" for a period of four years;

122 ~~(28)~~ (29) "Cook III" means a person employed to prepare and serve meals, make reports,
123 prepare requisitions for supplies, order equipment and repairs for a food service program of a
124 school system;

125 ~~(29)~~ (30) "Crew leader" means a person employed to organize the work for a crew of
126 maintenance employees to carry out assigned projects;

127 ~~(30)~~ (31) "Custodian I" means a person employed to keep buildings clean and free of
128 refuse;

129 ~~(31)~~ (32) "Custodian II" means a person employed as a watchman or groundsman;

130 ~~(32)~~ (33) "Custodian III" means a person employed to keep buildings clean and free of
131 refuse, to operate the heating or cooling systems and to make minor repairs;

132 ~~(33)~~ (34) "Custodian IV" means a person employed as a head custodian. In addition to
133 providing services as defined in "Custodian III" duties may include supervising other custodian
134 personnel;

135 ~~(34)~~ (35) "Director or coordinator of services" means an employee of a county board who
136 is assigned to direct a department or division.

137 (A) Nothing in this subdivision prohibits a professional person or a professional educator
138 from holding this class title;

139 (B) Professional personnel holding this class title may not be defined or classified as
140 service personnel unless the professional person held a service personnel title under this section
141 prior to holding the class title of "director or coordinator of services;"

142 (C) The director or coordinator of services is classified either as a professional person or
143 a service person for state aid formula funding purposes;

144 (D) Funding for the position of director or coordinator of services is based upon the
145 employment status of the director or coordinator either as a professional person or a service
146 person; and

147 (E) A person employed under the class title "director or coordinator of services" may not
148 be exclusively assigned to perform the duties ascribed to any other class title as defined in this
149 subsection: *Provided*, That nothing in this paragraph prohibits a person in this position from being
150 multiclassified;

151 ~~(35)~~ (36) “Draftsman” means a person employed to plan, design and produce detailed
152 architectural/engineering drawings;

153 ~~(36)~~ (37) “Early Childhood Classroom Assistant Teacher I” means a person who does not
154 possess minimum requirements for the permanent authorization requirements, but is enrolled in
155 and pursuing requirements;

156 ~~(37)~~ (38) “Early Childhood Classroom Assistant Teacher II” means a person who has
157 completed the minimum requirements for a state-awarded certificate for early childhood
158 classroom assistant teachers as determined by the state Board;

159 ~~(38)~~ (39) “Early Childhood Classroom Assistant Teacher III” means a person who has
160 completed permanent authorization requirements, as well as additional requirements comparable
161 to current paraprofessional certificate;

162 ~~(39)~~ (40) “Educational Sign Language Interpreter I” means a person employed to provide
163 communication access across all educational environments to students who are deaf or hard of
164 hearing, and who holds the Initial Paraprofessional Certificate – Educational Interpreter pursuant
165 to state board policy;

166 ~~(40)~~ (41) “Educational Sign Language Interpreter II” means a person employed to provide
167 communication access across all educational environments to students who are deaf or hard of
168 hearing, and who holds the Permanent Paraprofessional Certificate – Educational Interpreter
169 pursuant to state board policy;

170 ~~(41)~~ (42) “Electrician I” means a person employed as an apprentice electrician helper or
171 one who holds an electrician helper license issued by the State Fire Marshal;

172 ~~(42)~~ (43) “Electrician II” means a person employed as an electrician journeyman or one
173 who holds a journeyman electrician license issued by the State Fire Marshal;

174 ~~(43)~~ (44) “Electronic technician I” means a person employed at the apprentice level to
175 repair and maintain electronic equipment;

176 ~~(44)~~ (45) “Electronic technician II” means a person employed at the journeyman level to

177 repair and maintain electronic equipment;

178 ~~(45)~~ (46) "Executive secretary" means a person employed as secretary to the county
179 school superintendent or as a secretary who is assigned to a position characterized by significant
180 administrative duties;

181 ~~(46)~~ (47) "Food services supervisor" means a qualified person who is not a professional
182 person or professional educator as defined in §18A-1-1 *et seq.* of this code. The food services
183 supervisor is employed to manage and supervise a county school system's food service program.
184 The duties include preparing in-service training programs for cooks and food service employees,
185 instructing personnel in the areas of quantity cooking with economy and efficiency and keeping
186 aggregate records and reports;

187 ~~(47)~~ (48) "Foreman" means a skilled person employed to supervise personnel who work
188 in the areas of repair and maintenance of school property and equipment;

189 ~~(48)~~ (49) "General maintenance" means a person employed as a helper to skilled
190 maintenance employees, and to perform minor repairs to equipment and buildings of a county
191 school system;

192 ~~(49)~~ (50) "Glazier" means a person employed to replace glass or other materials in
193 windows and doors and to do minor carpentry tasks;

194 ~~(50)~~ (51) "Graphic artist" means a person employed to prepare graphic illustrations;

195 ~~(51)~~ (52) "Groundsman" means a person employed to perform duties that relate to the
196 appearance, repair and general care of school grounds in a county school system. Additional
197 assignments may include the operation of a small heating plant and routine cleaning duties in
198 buildings;

199 ~~(52)~~ (53) "Handyman" means a person employed to perform routine manual tasks in any
200 operation of the county school system;

201 ~~(53)~~ (54) "Heating and air conditioning mechanic I" means a person employed at the
202 apprentice level to install, repair and maintain heating and air conditioning plants and related

203 electrical equipment;

204 ~~(54)~~ (55) "Heating and air conditioning mechanic II" means a person employed at the
205 journeyman level to install, repair and maintain heating and air conditioning plants and related
206 electrical equipment;

207 ~~(55)~~ (56) "Heavy equipment operator" means a person employed to operate heavy
208 equipment;

209 ~~(56)~~ (57) "Inventory supervisor" means a person employed to supervise or maintain
210 operations in the receipt, storage, inventory and issuance of materials and supplies;

211 ~~(57)~~ (58) "Key punch operator" means a qualified person employed to operate key punch
212 machines or verifying machines;

213 ~~(58)~~ (59) "Licensed practical nurse" means a nurse, licensed by the West Virginia Board
214 of Examiners for Licensed Practical Nurses, employed to work in a public school under the
215 supervision of a school nurse;

216 ~~(59)~~ (60) "Locksmith" means a person employed to repair and maintain locks and safes;

217 ~~(60)~~ (61) "Lubrication man" means a person employed to lubricate and service gasoline
218 or diesel-powered equipment of a county school system;

219 ~~(61)~~ (62) "Machinist" means a person employed to perform machinist tasks which include
220 the ability to operate a lathe, planer, shaper, threading machine and wheel press. A person
221 holding this class title also should have the ability to work from blueprints and drawings;

222 ~~(62)~~ (63) "Mail clerk" means a person employed to receive, sort, dispatch, deliver or
223 otherwise handle letters, parcels and other mail;

224 ~~(63)~~ (64) "Maintenance clerk" means a person employed to maintain and control a stocking
225 facility to keep adequate tools and supplies on hand for daily withdrawal for all school
226 maintenance crafts;

227 ~~(64)~~ (65) "Mason" means a person employed to perform tasks connected with brick and
228 block laying and carpentry tasks related to these activities;

229 ~~(65)~~ (66) "Mechanic" means a person employed to perform skilled duties independently in
230 the maintenance and repair of automobiles, school buses and other mechanical and mobile
231 equipment to use in a county school system;

232 ~~(66)~~ (67) "Mechanic assistant" means a person employed as a mechanic apprentice and
233 helper;

234 ~~(67)~~ (68) "Multiclassification" means a person employed to perform tasks that involve the
235 combination of two or more class titles in this section. In these instances the minimum salary
236 scale is the higher pay grade of the class titles involved;

237 ~~(68)~~ (69) "Office equipment repairman I" means a person employed as an office equipment
238 repairman apprentice or helper;

239 ~~(69)~~ (70) "Office equipment repairman II" means a person responsible for servicing and
240 repairing all office machines and equipment. A person holding this class title is responsible for the
241 purchase of parts necessary for the proper operation of a program of continuous maintenance
242 and repair;

243 ~~(70)~~ (71) "Painter" means a person employed to perform duties painting, finishing and
244 decorating wood, metal and concrete surfaces of buildings, other structures, equipment,
245 machinery and furnishings of a county school system;

246 ~~(71)~~ (72) "Paraprofessional" means a person certified pursuant to §18A-3-2a of this code
247 to perform duties in a support capacity including, but not limited to, facilitating in the instruction
248 and direct or indirect supervision of students under the direction of a principal, a teacher or another
249 designated professional educator.

250 (A) A person employed on the effective date of this section in the position of an aide may
251 not be subject to a reduction in force or transferred to create a vacancy for the employment of a
252 paraprofessional;

253 (B) A person who has held or holds an aide title and becomes employed as a
254 paraprofessional shall hold a multiclassification status that includes both aide and

255 paraprofessional titles in accordance with §18A-4-8b of this code; and

256 (C) When a service person who holds an aide title becomes certified as a paraprofessional
257 and is required to perform duties that may not be performed by an aide without paraprofessional
258 certification, he or she shall receive the paraprofessional title pay grade;

259 ~~(72)~~ (73) "Payroll supervisor" means a person employed in the county board office who
260 has primary responsibility for the payroll function and who either has completed twelve college
261 hours of accounting from an accredited institution of higher education or has at least eight years
262 of experience performing progressively difficult accounting tasks. Responsibilities of this class title
263 may include supervision of other personnel;

264 ~~(73)~~ (74) "Plumber I" means a person employed as an apprentice plumber and helper;

265 ~~(74)~~ (75) "Plumber II" means a person employed as a journeyman plumber;

266 ~~(75)~~ (76) "Printing operator" means a person employed to operate duplication equipment,
267 and to cut, collate, staple, bind and shelve materials as required;

268 ~~(76)~~ (77) "Printing supervisor" means a person employed to supervise the operation of a
269 print shop;

270 ~~(77)~~ (78) "Programmer" means a person employed to design and prepare programs for
271 computer operation;

272 ~~(78)~~ (79) "Roofing/sheet metal mechanic" means a person employed to install, repair,
273 fabricate and maintain roofs, gutters, flashing and duct work for heating and ventilation;

274 ~~(79)~~ (80) "Sanitation plant operator" means a person employed to operate and maintain a
275 water or sewage treatment plant to ensure the safety of the plant's effluent for human consumption
276 or environmental protection;

277 ~~(80)~~ (81) "School bus supervisor" means a qualified person:

278 (A) Employed to assist in selecting school bus operators and routing and scheduling
279 school buses, operate a bus when needed, relay instructions to bus operators, plan emergency
280 routing of buses and promote good relationships with parents, students, bus operators and other

281 employees; and

282 (B) Certified to operate a bus or previously certified to operate a bus;

283 ~~(84)~~ (82) "Secretary I" means a person employed to transcribe from notes or mechanical
284 equipment, receive callers, perform clerical tasks, prepare reports and operate office machines;

285 ~~(82)~~ (83) "Secretary II" means a person employed in any elementary, secondary,
286 kindergarten, nursery, special education, vocational, or any other school as a secretary. The
287 duties may include performing general clerical tasks; transcribing from notes; stenotype,
288 mechanical equipment or a sound-producing machine; preparing reports; receiving callers and
289 referring them to proper persons; operating office machines; keeping records and handling routine
290 correspondence. Nothing in this subdivision prevents a service person from holding or being
291 elevated to a higher classification;

292 ~~(83)~~ (84) "Secretary III" means a person assigned to the county board office administrators
293 in charge of various instructional, maintenance, transportation, food services, operations and
294 health departments, federal programs or departments with particular responsibilities in purchasing
295 and financial control or any person who has served for eight years in a position which meets the
296 definition of "Secretary II" or "Secretary III";

297 ~~(84)~~ (85) "Sign Support Specialist" means a person employed to provide sign supported
298 speech assistance to students who are able to access environments through audition. A person
299 who has held or holds an aide title and becomes employed as a sign support specialist shall hold
300 a multiclassification status that includes both aide and sign support specialist titles, in accordance
301 with §18A-4-8b of this code.

302 ~~(85)~~ (86) "Supervisor of maintenance" means a skilled person who is not a professional
303 person or professional educator as defined in §18A-1-1 *et seq.* of this code. The responsibilities
304 include directing the upkeep of buildings and shops, and issuing instructions to subordinates
305 relating to cleaning, repairs and maintenance of all structures and mechanical and electrical
306 equipment of a county board;

307 ~~(86)~~ (87) “Supervisor of transportation” means a qualified person employed to direct
308 school transportation activities properly and safely, and to supervise the maintenance and repair
309 of vehicles, buses and other mechanical and mobile equipment used by the county school system.
310 After July 1, 2010, all persons employed for the first time in a position with this classification title
311 or in a multiclassification position that includes this title shall have five years of experience working
312 in the transportation department of a county board. Experience working in the transportation
313 department consists of serving as a bus operator, bus aide, assistant mechanic, mechanic, chief
314 mechanic or in a clerical position within the transportation department;

315 ~~(87)~~ (88) “Switchboard operator-receptionist” means a person employed to refer incoming
316 calls, to assume contact with the public, to direct and to give instructions as necessary, to operate
317 switchboard equipment and to provide clerical assistance;

318 ~~(88)~~ (89) “Truck driver” means a person employed to operate light or heavy duty gasoline
319 and diesel-powered vehicles;

320 ~~(89)~~ (90) “Warehouse clerk” means a person employed to be responsible for receiving,
321 storing, packing and shipping goods;

322 ~~(90)~~ (91) “Watchman” means a person employed to protect school property against
323 damage or theft. Additional assignments may include operation of a small heating plant and
324 routine cleaning duties;

325 ~~(91)~~ (92) “Welder” means a person employed to provide acetylene or electric welding
326 services for a school system; and

327 ~~(92)~~ (93) “WVEIS data entry and administrative clerk” means a person employed to work
328 under the direction of a school principal to assist the school counselor or counselors in the
329 performance of administrative duties, to perform data entry tasks on the West Virginia Education
330 Information System, and to perform other administrative duties assigned by the principal.

331 (j) Notwithstanding any provision in this code to the contrary, and in addition to the
332 compensation provided for service personnel in §18A-4-8a of this code, each service person is

333 entitled to all service personnel employee rights, privileges and benefits provided under this or
334 any other chapter of this code without regard to the employee's hours of employment or the
335 methods or sources of compensation.

336 (k) A service person whose years of employment exceeds the number of years shown and
337 provided for under the state minimum pay scale set forth in §18A-4-8a of this code may not be
338 paid less than the amount shown for the maximum years of employment shown and provided for
339 in the classification in which he or she is employed.

340 (l) Each county board shall review each service person's job classification annually and
341 shall reclassify all service persons as required by the job classifications. The State Superintendent
342 may withhold state funds appropriated pursuant to this article for salaries for service personnel
343 who are improperly classified by the county boards. Further, the state superintendent shall order
344 a county board to correct immediately any improper classification matter and, with the assistance
345 of the Attorney General, shall take any legal action necessary against any county board to enforce
346 the order.

347 (m) Without his or her written consent, a service person may not be:

348 (1) Reclassified by class title; or

349 (2) Relegated to any condition of employment which would result in a reduction of his or
350 her salary, rate of pay, compensation or benefits earned during the current fiscal year; or for which
351 he or she would qualify by continuing in the same job position and classification held during that
352 fiscal year and subsequent years.

353 (n) Any county board failing to comply with the provisions of this article may be compelled
354 to do so by mandamus and is liable to any party prevailing against the board for court costs and
355 the prevailing party's reasonable attorney fee, as determined and established by the court.

356 (o) Notwithstanding any provision of this code to the contrary, a service person who holds
357 a continuing contract in a specific job classification and who is physically unable to perform the
358 job's duties as confirmed by a physician chosen by the employee, shall be given priority status

359 over any employee not holding a continuing contract in filling other service personnel job
360 vacancies if the service person is qualified as provided in §18A-4-8e of this code.

361 (p) Any person employed in an aide position on the effective date of this section may not
362 be transferred or subject to a reduction in force for the purpose of creating a vacancy for the
363 employment of a licensed practical nurse.

364 (q) Without the written consent of the service person, a county board may not establish
365 the beginning work station for a bus operator or transportation aide at any site other than a county
366 board-owned facility with available parking. The workday of the bus operator or transportation
367 aide commences at the bus at the designated beginning work station and ends when the
368 employee is able to leave the bus at the designated beginning work station, unless he or she
369 agrees otherwise in writing. The application or acceptance of a posted position may not be
370 construed as the written consent referred to in this subsection.

371 (r) Itinerant status means a service person who does not have a fixed work site and may
372 be involuntarily reassigned to another work site. A service person is considered to hold itinerant
373 status if he or she has bid upon a position posted as itinerant or has agreed to accept this status.
374 A county board may establish positions with itinerant status only within the aide and autism mentor
375 classification categories and only when the job duties involve exceptional students. A service
376 person with itinerant status may be assigned to a different work site upon written notice ten days
377 prior to the reassignment without the consent of the employee and without posting the vacancy.
378 A service person with itinerant status may be involuntarily reassigned no more than twice during
379 the school year. At the conclusion of each school year, the county board shall post and fill,
380 pursuant to §18A-4-8b of this code, all positions that have been filled without posting by a service
381 person with itinerant status. A service person who is assigned to a beginning and ending work
382 site and travels at the expense of the county board to other work sites during the daily schedule,
383 is not considered to hold itinerant status.

384 (s) Any service person holding a classification title on June 30, 2013, that is removed from

385 the classification schedule pursuant to amendment and reenactment of this section in the year
386 2013, has his or her employment contract revised as follows:

387 (1) Any service person holding the Braille or Sign Language Specialist classification title
388 has that classification title renamed on his or her employment contract as either Braille Specialist
389 or Sign Support Specialist. This action does not result in a loss or reduction of salary or
390 supplement by any employee. Any seniority earned in the Braille or Sign Language Specialist
391 classification prior to July 1, 2013, continues to be credited as seniority earned in the Braille
392 Specialist or Sign Support Specialist classification;

393 (2) Any service person holding the Paraprofessional classification title and holding the
394 Initial Paraprofessional Certificate – Educational Interpreter has the title Educational Sign
395 Language Interpreter I added to his or her employment contract. This action does not result in a
396 loss or reduction of salary or supplement by any employee. Any seniority earned in the
397 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned
398 in the Educational Sign Language Interpreter I classification; and

399 (3) Any service person holding the Paraprofessional classification title and holding the
400 Permanent Paraprofessional Certificate – Educational Interpreter has the title Educational Sign
401 Language Interpreter II added to his or her employment contract. This action does not result in a
402 loss or reduction of salary or supplement by any employee. Any seniority earned in the
403 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned
404 in the Educational Sign Language Interpreter II classification;

405 (t) Any person employed as an aide in a kindergarten program who is eligible for full
406 retirement benefits before the first day of the instructional term in the 2020-2021 school year, may
407 not be subject to a reduction in force or transferred to create a vacancy for the employment of a
408 less senior Early Childhood Classroom Assistant Teacher;

409 (u) A person who has held or holds an aide title and becomes employed as an Early
410 Childhood Classroom Assistant Teacher shall hold a multiclassification status that includes aide

411 and/or paraprofessional titles in accordance with §18A-4-8b of this code.

§18A-4-8a. Service personnel minimum monthly salaries.

1 (a) The minimum monthly pay for each service employee shall be as follows:

2 (1) For school year 2018–2019, and continuing thereafter, the minimum monthly pay for
 3 each service employee whose employment is for a period of more than three and one-half hours
 4 a day shall be at least the amounts indicated in the State Minimum Pay Scale Pay Grade and the
 5 minimum monthly pay for each service employee whose employment is for a period of three and
 6 one-half hours or less a day shall be at least one-half the amount indicated in the State Minimum
 7 Pay Scale Pay Grade set forth in this subdivision.

8 STATE MINIMUM PAY SCALE PAY GRADE

Years Exp.	PAY GRADE							
	A	B	C	D	E	F	G	H
0	1,770	1,791	1,833	1,886	1,939	2,002	2,034	2,107
1	1,802	1,824	1,865	1,918	1,972	2,035	2,066	2,140
2	1,835	1,856	1,898	1,951	2,004	2,067	2,099	2,172
3	1,867	1,889	1,931	1,984	2,037	2,100	2,132	2,205
4	1,900	1,922	1,963	2,016	2,069	2,133	2,164	2,239
5	1,933	1,954	1,996	2,049	2,102	2,165	2,197	2,271
6	1,965	1,987	2,030	2,082	2,135	2,198	2,230	2,304
7	1,999	2,019	2,062	2,114	2,167	2,231	2,262	2,337
8	2,032	2,052	2,095	2,147	2,200	2,263	2,295	2,369
9	2,064	2,085	2,128	2,181	2,233	2,296	2,327	2,402
10	2,097	2,118	2,160	2,213	2,265	2,330	2,361	2,435
11	2,130	2,151	2,193	2,246	2,298	2,362	2,394	2,467
12	2,162	2,184	2,225	2,279	2,332	2,395	2,426	2,500
13	2,195	2,216	2,258	2,311	2,364	2,427	2,459	2,533

14	2,228	2,249	2,291	2,344	2,397	2,460	2,492	2,565
15	2,260	2,282	2,323	2,376	2,429	2,493	2,524	2,598
16	2,293	2,314	2,356	2,409	2,462	2,525	2,557	2,631
17	2,325	2,347	2,390	2,442	2,495	2,558	2,590	2,664
18	2,358	2,380	2,422	2,474	2,527	2,591	2,622	2,697
19	2,392	2,412	2,455	2,507	2,560	2,623	2,655	2,729
20	2,424	2,445	2,488	2,541	2,593	2,656	2,688	2,763
21	2,457	2,477	2,520	2,573	2,625	2,689	2,720	2,797
22	2,490	2,511	2,553	2,606	2,658	2,722	2,754	2,829
23	2,522	2,544	2,586	2,639	2,692	2,756	2,788	2,863
24	2,555	2,576	2,618	2,671	2,724	2,790	2,821	2,897
25	2,588	2,609	2,651	2,704	2,758	2,822	2,855	2,929
26	2,620	2,642	2,683	2,738	2,792	2,856	2,887	2,963
27	2,653	2,674	2,716	2,770	2,824	2,888	2,921	2,996
28	2,686	2,707	2,750	2,804	2,858	2,922	2,955	3,030
29	2,718	2,741	2,783	2,836	2,891	2,956	2,987	3,064
30	2,752	2,773	2,817	2,870	2,924	2,988	3,021	3,097
31	2,785	2,807	2,851	2,904	2,958	3,022	3,055	3,130
32	2,819	2,840	2,883	2,937	2,990	3,056	3,087	3,164
33	2,853	2,873	2,917	2,971	3,024	3,088	3,121	3,197
34	2,885	2,907	2,951	3,005	3,058	3,122	3,155	3,230
35	2,919	2,941	2,983	3,037	3,090	3,156	3,188	3,264
36	2,953	2,974	3,017	3,071	3,125	3,189	3,222	3,296
37	2,985	3,008	3,051	3,105	3,159	3,223	3,255	3,330
38	3,019	3,040	3,083	3,137	3,191	3,256	3,288	3,364
39	3,053	3,074	3,117	3,171	3,225	3,289	3,322	3,396
40	3,085	3,108	3,150	3,204	3,259	3,323	3,355	3,430

9 (2) Each service employee shall receive the amount prescribed in the State Minimum Pay
 10 Scale Pay Grade in accordance with the provisions of this subsection according to their class title
 11 and pay grade as set forth in this subdivision:

12 CLASS TITLE PAY GRADE

13 Accountant ID

14 Accountant IIE

15 Accountant III F

16 Accounts Payable Supervisor G

17 Aide IA

18 Aide IIB

19 Aide IIIC

20 Aide IVD

21 Aide VE

22 Audiovisual TechnicianC

23 Auditor G

24 Autism Mentor F

25 Braille SpecialistE

26 Bus OperatorD

27 Buyer F

28 Cabinetmaker G

29 Cafeteria ManagerD

30 Carpenter IE

31 Carpenter II F

32 Chief Mechanic G

33 Clerk IB

34 Clerk IIC

35 Computer OperatorE

36 Cook IA

37 Cook IIB

38 Cook IIIC

39 Crew Leader F

40 Custodian IA

41 Custodian IIB

42 Custodian IIIC

43 Custodian IVD

44 Director or Coordinator of ServicesH

45 DraftsmanD

46 Early Childhood Classroom Assistant Teacher IE

47 Early Childhood Classroom Assistant Teacher IIE

48 Early Childhood Classroom Assistant Teacher III F

49 Educational Sign Language Interpreter I F

50 Educational Sign Language Interpreter II G

51 Electrician I F

52 Electrician II G

53 Electronic Technician I F

54 Electronic Technician II G

55 Executive Secretary G

56 Food Services Supervisor G

57 Foreman G

58 General MaintenanceC

59 GlazierD

60 Graphic ArtistD

61 GroundsmanB

62 HandymanB

63 Heating and Air Conditioning Mechanic IE

64 Heating and Air Conditioning Mechanic II G

65	Heavy Equipment Operator	E
66	Inventory Supervisor	D
67	Key Punch Operator	B
68	Licensed Practical Nurse	F
69	Locksmith	G
70	Lubrication Man	C
71	Machinist	F
72	Mail Clerk	D
73	Maintenance Clerk	C
74	Mason	G
75	Mechanic	F
76	Mechanic Assistant	E
77	Office Equipment Repairman I	F
78	Office Equipment Repairman II	G
79	Painter	E
80	Paraprofessional	F
81	Payroll Supervisor	G
82	Plumber I	E
83	Plumber II	G
84	Printing Operator	B
85	Printing Supervisor	D
86	Programmer	H
87	Roofing/Sheet Metal Mechanic	F
88	Sanitation Plant Operator	G
89	School Bus Supervisor	E
90	Secretary I	D

91 Secretary IIE

92 Secretary III F

93 Sign Support SpecialistE

94 Supervisor of MaintenanceH

95 Supervisor of TransportationH

96 Switchboard Operator-ReceptionistD

97 Truck DriverD

98 Warehouse ClerkC

99 WatchmanB

100 Welder F

101 WVEIS Data Entry and Administrative ClerkB

102 (b) An additional \$12 per month is added to the minimum monthly pay of each service
 103 person who holds a high school diploma or its equivalent.

104 (c) An additional \$11 per month also is added to the minimum monthly pay of each service
 105 person for each of the following:

106 (1) A service person who holds 12 college hours or comparable credit obtained in a trade
 107 or vocational school as approved by the state board;

108 (2) A service person who holds 24 college hours or comparable credit obtained in a trade
 109 or vocational school as approved by the state board;

110 (3) A service person who holds 36 college hours or comparable credit obtained in a trade
 111 or vocational school as approved by the state board;

112 (4) A service person who holds 48 college hours or comparable credit obtained in a trade
 113 or vocational school as approved by the state board;

114 (5) A service employee who holds 60 college hours or comparable credit obtained in a
 115 trade or vocational school as approved by the state board;

116 (6) A service person who holds 72 college hours or comparable credit obtained in a trade
117 or vocational school as approved by the state board;

118 (7) A service person who holds 84 college hours or comparable credit obtained in a trade
119 or vocational school as approved by the state board;

120 (8) A service person who holds 96 college hours or comparable credit obtained in a trade
121 or vocational school as approved by the state board;

122 (9) A service person who holds 108 college hours or comparable credit obtained in a trade
123 or vocational school as approved by the state board;

124 (10) A service person who holds 120 college hours or comparable credit obtained in a
125 trade or vocational school as approved by the state board.

126 (d) An additional \$40 per month also is added to the minimum monthly pay of each service
127 person for each of the following:

128 (1) A service person who holds an associate's degree;

129 (2) A service person who holds a bachelor's degree;

130 (3) A service person who holds a master's degree;

131 (4) A service person who holds a doctorate degree.

132 (e) An additional \$11 per month is added to the minimum monthly pay of each service
133 person for each of the following:

134 (1) A service person who holds a bachelor's degree plus 15 college hours;

135 (2) A service person who holds a master's degree plus 15 college hours;

136 (3) A service person who holds a master's degree plus 30 college hours;

137 (4) A service person who holds a master's degree plus 45 college hours; and

138 (5) A service person who holds a master's degree plus 60 college hours.

139 (f) To meet the objective of salary equity among the counties, each service person is paid
140 an equity supplement, as set forth in §18A-4-5 of this code, of \$164 per month, subject to the
141 provisions of that section. These payments: (i) Are in addition to any amounts prescribed in the

142 applicable State Minimum Pay Scale Pay Grade, any specific additional amounts prescribed in
143 this section and article and any county supplement in effect in a county pursuant to §18A-4-5b of
144 this code; (ii) are paid in equal monthly installments; and (iii) are considered a part of the state
145 minimum salaries for service personnel.

146 (g) When any part of a school service person's daily shift of work is performed between
147 the hours of 6:00 p. m. and 5:00 a. m. the following day, the employee is paid no less than an
148 additional \$10 per month and one half of the pay is paid with local funds.

149 (h) Any service person required to work on any legal school holiday is paid at a rate one
150 and one-half times the person's usual hourly rate.

151 (i) Any full-time service personnel required to work in excess of their normal working day
152 during any week which contains a school holiday for which they are paid is paid for the additional
153 hours or fraction of the additional hours at a rate of one and one-half times their usual hourly rate
154 and paid entirely from county board funds.

155 (j) A service person may not have his or her daily work schedule changed during the school
156 year without the employee's written consent and the person's required daily work hours may not
157 be changed to prevent the payment of time and one-half wages or the employment of another
158 employee.

159 (k) The minimum hourly rate of pay for extra duty assignments as defined in §18A-4-8b of
160 this code is no less than one seventh of the person's daily total salary for each hour the person is
161 involved in performing the assignment and paid entirely from local funds: Provided, That an
162 alternative minimum hourly rate of pay for performing extra duty assignments within a particular
163 category of employment may be used if the alternate hourly rate of pay is approved both by the
164 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons
165 within that classification category of employment within that county: Provided, however, That the
166 vote is by secret ballot if requested by a service person within that classification category within
167 that county. The salary for any fraction of an hour the employee is involved in performing the

168 assignment is prorated accordingly. When performing extra duty assignments, persons who are
169 regularly employed on a one-half day salary basis shall receive the same hourly extra duty
170 assignment pay computed as though the person were employed on a full-day salary basis.

171 (l) The minimum pay for any service personnel engaged in the removal of asbestos
172 material or related duties required for asbestos removal is their regular total daily rate of pay and
173 no less than an additional \$3 per hour or no less than \$5 per hour for service personnel
174 supervising asbestos removal responsibilities for each hour these employees are involved in
175 asbestos-related duties. Related duties required for asbestos removal include, but are not limited
176 to, travel, preparation of the work site, removal of asbestos, decontamination of the work site,
177 placing and removal of equipment and removal of structures from the site. If any member of an
178 asbestos crew is engaged in asbestos-related duties outside of the employee's regular
179 employment county, the daily rate of pay is no less than the minimum amount as established in
180 the employee's regular employment county for asbestos removal and an additional \$30 per each
181 day the employee is engaged in asbestos removal and related duties. The additional pay for
182 asbestos removal and related duties shall be payable entirely from county funds. Before service
183 personnel may be used in the removal of asbestos material or related duties, they shall have
184 completed a federal Environmental Protection Act-approved training program and be licensed.
185 The employer shall provide all necessary protective equipment and maintain all records required
186 by the Environmental Protection Act.

187 (m) For the purpose of qualifying for additional pay as provided in §18A-5-8 of this code,
188 an aide is considered to be exercising the authority of a supervisory aide and control over pupils
189 if the aide is required to supervise, control, direct, monitor, escort, or render service to a child or
190 children when not under the direct supervision of a certified professional person within the
191 classroom, library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever
192 supervision is required. For purposes of this section, "under the direct supervision of a certified

193 professional person” means that certified professional person is present, with and accompanying
194 the aide.

NOTE: The purpose of this bill is to create an additional class of special education classroom aide and to specify the pay grade for this class of school service personnel.

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