

H. B. 3211

(By Delegates Mahan, Brown and Hunt)
[Introduced February 21, 2011; referred to the
Committee on Education then Finance.]

A BILL to amend and reenact §18A-4-2b of the Code of West Virginia,
1931, as amended, relating to minimum salary supplement and
educational expense reimbursement for professional personnel
with recognized national certification.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

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

(a) (1) The Legislature finds that achieving a nationally
recognized professional certification in speech-language pathology
or audiology involves a rigorous process of demonstrating both
knowledge and skills and results in highly trained and capable

1 employees. Individuals who attain national professional
2 certification by the American Speech-Language-Hearing Association
3 provide needed and essential services to the school students of
4 this state. Individuals should be encouraged to achieve and
5 maintain the national professional certification through
6 reimbursement of expenses and a salary bonus which reflects their
7 additional certification.

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

16 (3) The Legislature finds that achieving a nationally
17 recognized professional certification in school psychology involves
18 a rigorous process of demonstrating competencies in scientific
19 research-based knowledge and skills. School psychologists provide
20 assessment, counseling and consultation to students, teachers,
21 school administrators and parents. Individuals who attain national
22 professional certification by the National Association of School
23 Psychologists provide services to students, families and school
24 systems in this state. School psychologists should be encouraged
25 to achieve and maintain this national professional certification
26 through reimbursement of expenses and a salary bonus which reflects

1 their additional certification.

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

14 (5) The Legislature finds that achieving a nationally
15 recognized professional certification in school social work helps
16 promote the quality of social work services in schools. School
17 social workers provide psychosocial assessment, counseling,
18 conflict resolution, case management, community resource
19 development, referral services and consultation to students,
20 teachers, school administrators and parents. School social workers
21 who achieve certification are better equipped to address the
22 negative psycho-social, socio-economic, human relationship, family
23 and systemic factors which impair student attendance and success.
24 Individuals who attain the National Association of Social Workers'
25 Certified School Social Work Specialist certification provide
26 services to students, families and school systems in this state.

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

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

6 (A) To provide a statewide salary supplement for certain
7 professional personnel employed in the public schools who hold
8 nationally recognized professional certification in speech-language
9 pathology, audiology, counseling, school psychology, ~~or~~ school
10 nursing or social work;

11 (B) To treat these professional certifications equally;

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

13 (D) To help school systems recruit these highly qualified
14 professionals.

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

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

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

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

25 (c) Professional personnel employed as speech-language
26 pathologists, audiologists, counselors, school psychologists, ~~or~~

1 school nurses or social workers are eligible upon enrollment for
2 reimbursement for one half of the fee for certification in
3 accordance with this section. In addition, these personnel are
4 eligible upon attainment of the certification for reimbursement of
5 the remainder of the application fee plus other expenses actually
6 incurred toward attainment of the certification, not exceeding
7 \$600, upon approval by the Department of Education. Not more than
8 one hundred fifteen speech-language pathologists, audiologists,
9 counselors, school psychologists, ~~and~~ school nurses and social
10 workers, combined total, are eligible for reimbursement in any one
11 fiscal year.

12 (d) Notwithstanding subsection (b) of this section, for the
13 school year beginning July 1, ~~2008~~ 2011, the number of speech-
14 language pathologists, audiologists, counselors, school
15 psychologists, ~~and~~ school nurses and social workers paid the
16 annual salary supplement provided for in said subsection may not
17 exceed the number of speech-language pathologists, audiologists,
18 ~~and~~ counselors, school psychologists, school nurses or social
19 workers eligible to be paid the annual salary supplement under the
20 provisions of this section in effect during the school year
21 beginning July 1, 2007, by more than one hundred fifteen qualified
22 recipients, and the total amount of qualified recipients may not
23 increase thereafter by more than one hundred fifteen in each
24 subsequent fiscal year.

25 (e) The state board shall promulgate a legislative rule
26 establishing criteria for selection of the individuals eligible for

1 reimbursement and a salary supplement in accordance with this
2 section. The selection criteria shall prioritize the length of
3 time the certification has been held and the years of experience of
4 the holder in determining eligibility.

5 (f) The state board shall report the rule to the Legislative
6 Oversight Commission on Education Accountability by the January,
7 2009, legislative interim meeting period and shall report on its
8 progress in developing the rule to the commission during prior
9 interim meetings as requested.

10 (g) No provision of this section may be construed to require
11 any appropriation, or any specific level of appropriation, by the
12 Legislature, or payment of any supplement or reimbursement
13 described in this section for which a specific appropriation has
14 not been made.

15 (h) Notwithstanding any other provision of this section or the
16 provisions of section two-a of this article, professional personnel
17 may not be paid a salary supplement pursuant to the provisions of
18 both said sections.

NOTE: The purpose of this bill is to add school social workers to the list of professional personnel who may receive salary supplement and educational expense reimbursement for achieving recognized national certification. The maximum number of professional personnel eligible to receive salary supplement and educational expense reimbursement remains unchanged.

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