

Senate Bill No. 558

(By Senator Plymale)

[Introduced February 18, 2011; referred to the Committee on
Education; and then to the Committee on Finance.]

A BILL to amend and reenact §18A-4-5 of the Code of West Virginia,
1931, as amended, relating to changing the method for
determining whether salary equity among the counties for
professional educators and service personnel exists; and
making the change effective July 1, 2013.

Be it enacted by the Legislature of West Virginia:

That §18A-4-5 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-4-5. Salary equity among the counties; state salary
supplement.**

(a) For the purposes of this section, salary equity among the
counties means that the salary potential of school employees
employed by the various districts throughout the state does not
differ by greater than ten percent between those offering the

1 highest salaries and those offering the lowest salaries. In the
2 case of professional educators, the difference shall be calculated
3 ~~utilizing~~ using the average of the professional educator salary
4 schedules, degree classifications, ~~B.A.~~ Bachelor of Arts through
5 Doctorate, and the years of experience provided ~~for~~ in the most
6 recent state minimum salary schedule for teachers in effect in the
7 five counties offering the highest salary schedules compared to the
8 lowest salary schedule in effect among the fifty-five counties. In
9 the case of school service personnel, the difference shall be
10 calculated ~~utilizing~~ using the average of the school service
11 personnel salary schedules, pay grades "A" through "H", and the
12 years of experience provided ~~for~~ in the most recent state minimum
13 pay scale pay grade for service personnel in effect in the five
14 counties offering the highest salary schedules compared to the
15 lowest salary schedule in effect among the fifty-five counties.
16 Effective July 1, 2013, for both professional educators and school
17 service personnel, the differences shall be calculated as otherwise
18 required by this subsection except that the ten counties offering
19 the highest salary schedules shall be compared to the lowest salary
20 schedule in effect among the fifty-five counties.

21 For the school year beginning July 1, 1994, and thereafter, in
22 the counties that jointly support a multicounty vocational school,
23 salary equity funding shall be distributed to nonfiscal agent
24 counties based on:

1 (1) Calculating the amount of salary equity funding each
2 nonfiscal agent county would receive for the employees for which it
3 is charged in the public school support program, as provided in
4 section four, article nine-a, chapter eighteen of this code, if
5 this salary equity funding were distributed to nonfiscal agent
6 counties; and

7 (2) Deducting the salary equity funding to be received by the
8 fiscal agent county in the public school support program for those
9 employees for which the nonfiscal agent county is charged in the
10 public school support program.

11 (b) To assist the state in meeting its objective of salary
12 equity among the counties, as defined in subsection (a) of this
13 section, on and after July 1, 1984, subject to available state
14 appropriations and the conditions set forth herein, each teacher
15 and school service ~~personnel~~ person shall receive a supplemental
16 amount in addition to the amount from the state minimum salary
17 schedules provided ~~for~~ in this article.

18 State funds for this purpose shall be paid within the West
19 Virginia public school support plan in accordance with article
20 nine-a, chapter eighteen of this code. The amount allocated for
21 salary equity shall be apportioned between teachers and school
22 service personnel in direct proportion to that amount necessary to
23 support the professional salaries and service personnel salaries
24 statewide under sections four and five, article nine-a, chapter

1 eighteen of this code. ~~Provided, That~~ In making this division an
2 adequate amount of state equity funds shall be reserved to finance
3 the appropriate foundation allowances and staffing incentives
4 provided ~~for~~ in article nine-a, chapter eighteen of this code.

5 Pursuant to this section, each teacher and school service
6 ~~personnel~~ person shall receive the amount that is the difference
7 between their authorized state minimum salary and ninety-five
8 percent of the maximum salary schedules prescribed in sections
9 five-a and five-b of this article, reduced by any amount provided
10 by the county as a salary supplement for teachers and school
11 service personnel on January 1 of the fiscal year immediately
12 preceding that in which the salary equity appropriation is
13 distributed. ~~Provided, That~~ The amount received pursuant to this
14 section shall not be decreased as a result of any county supplement
15 increase instituted after January 1, 1984, until the objective of
16 salary equity is reached. ~~Provided, however, That~~ However, any
17 amount received pursuant to this section may be reduced
18 proportionately based upon the amount of funds appropriated for
19 this purpose.

20 No county may reduce any salary supplement that was in effect
21 on January 1, 1984, except as permitted by sections five-a and
22 five-b of this article.

NOTE: The purpose of this bill is to change the calculation for determining whether salary equity among the counties for professional educators and service personnel exists. The effective

date for the change is July 1, 2013.

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