

COMMITTEE SUBSTITUTE

FOR

H. B. 2500

(BY DELEGATES M. POLING, PAXTON AND DUKE)

(Originating in the Committee on Finance)
[February 28, 2011]

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

Be it enacted by the Legislature of West Virginia:

That §18A-4-2a and §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-4-2a. State minimum salary bonus for classroom teachers with national board certification.

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

11 (b) (1) A salary bonus of \$3,500 ~~Three thousand five~~
12 ~~hundred dollars~~ shall be paid annually to each classroom
13 teacher who holds a valid certificate issued by the National
14 Board of Professional Teaching Standards for the life of the

15 certification, but in no event more than ten years for any one
16 certification.

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

22 (c) The payments:

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

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

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

28 (d) For initial certification, one-half the certification fee
29 shall be paid for reimbursement once to each teacher who
30 enrolls in the program for the National Board for Professional
31 Teaching Standards certification and one-half the
32 certification fee shall be paid for reimbursement once to each
33 teacher who completes the National Board for Professional

34 Teaching Standards certification. Completion shall be
35 defined as the completion of ten scorable entries, as verified
36 by the National Board for Professional Teaching Standards.
37 Teachers who achieve National Board for Professional
38 Teaching Standards certification may be reimbursed a
39 maximum of \$600 for expenses actually incurred while
40 obtaining the National Board for Professional Teaching
41 Standards certification.

42 (e) For renewal certification, each teacher who completes
43 the National Board for Professional Teaching Standards
44 certification renewal process shall be reimbursed for the
45 renewal certification fee. Completion of the certification
46 renewal process means the successful renewal of the ten-year
47 NBPTS certification as verified by the National Board for
48 Professional Teaching Standards.

49 ~~(e)~~ (f) The state board shall limit the number of teachers
50 who ~~receive the initial reimbursements of the certification~~
51 ~~fees~~ are reimbursed for the first one half of the fee for initial
52 certification, as set forth in subsection (d) of this section, to

53 two hundred teachers annually. The state board shall
54 establish selection criteria for the teachers by the legislative
55 rule required pursuant to subsection ~~(g)~~ (i) of this section.

56 ~~(f)~~ (g) Subject to the provisions of subsection ~~(e)~~ (f) of
57 this section, funding for reimbursement of the certification
58 fee and expenses actually incurred while obtaining the
59 National Board for Professional Teaching Standards
60 certifications shall be administered by the State Department
61 of Education from an appropriation established for that
62 purpose by the Legislature. If funds appropriated by the
63 Legislature to accomplish the purposes of this subsection are
64 insufficient, the state department shall prorate the
65 reimbursements for expenses and shall request of the
66 Legislature, at its next regular session, funds sufficient to
67 accomplish the purposes of this subsection, including needed
68 retroactive payments.

69 (h) A classroom teacher who holds certification by the
70 National Board for Professional Teaching Standards and
71 accepts employment as a principal, an assistant principal, or

72 in another instructional leadership position at either the
73 school or board level, shall remain eligible for the additional
74 salary bonus for NBPTS certification for the life of the
75 certificate held.

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

**§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.**

1 (a) (1) The Legislature finds that achieving a nationally
2 recognized professional certification in speech-language
3 pathology or audiology involves a rigorous process of
4 demonstrating both knowledge and skills and results in
5 highly trained and capable employees. Individuals who
6 attain national professional certification by the American
7 Speech-Language-Hearing Association provide needed and
8 essential services to the school students of this state.
9 Individuals should be encouraged to achieve and maintain the

10 national professional certification through reimbursement of
11 expenses and a salary bonus which reflects their additional
12 certification.

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

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

29 certification by the National Association of School
30 Psychologists provide services to students, families and
31 school systems in this state. School psychologists should be
32 encouraged to achieve and maintain this national professional
33 certification through reimbursement of expenses and a salary
34 bonus which reflects their additional certification.

35 (4) The Legislature finds that achieving a nationally
36 recognized professional certification in school nursing
37 involves a rigorous process of demonstrating competencies
38 in health care and nursing applications, knowledge and skills.
39 School nurses provide assessment, counseling and
40 consultation to students, teachers, school administrators and
41 parents. School nurses who attain national professional
42 certification by the National Board for Certification of School
43 Nurses provide services to students, families and school
44 systems in this state. School nurses should be encouraged to
45 achieve and maintain this national professional certification
46 through reimbursement of expenses and a salary bonus which
47 reflects their additional certification.

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

49 (A) To provide a statewide salary supplement for certain
50 professional personnel employed in the public schools who
51 hold nationally recognized professional certification in
52 speech-language pathology, audiology, counseling, school
53 psychology or school nursing;

54 (B) To treat these professional certifications equally;

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

56 (D) To help school systems recruit these highly qualified
57 professionals.

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

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

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

66 (3) To continue for the life of the certification,~~or for ten~~
67 ~~years for any one certification, whichever first expires~~ or the
68 life of the renewal certification.

69 (c) Professional personnel employed as speech-language
70 pathologists, audiologists, counselors, school psychologists
71 or school nurses are eligible upon enrollment for
72 reimbursement for one-half of the fee for certification in
73 accordance with this section. In addition, these personnel are
74 eligible upon attainment of the certification for
75 reimbursement of the remainder of the application fee plus
76 other expenses actually incurred toward attainment of the
77 certification, not exceeding \$600, upon approval by the
78 Department of Education. Not more than one hundred fifteen
79 speech-language pathologists, audiologists, counselors,
80 school psychologists and school nurses, combined total, are
81 eligible for reimbursement in any one fiscal year.

82 (d) Notwithstanding subsection (b) of this section, for the
83 school year beginning July 1, 2008, the number of speech-
84 language pathologists, audiologists, counselors, school

85 psychologists and school nurses paid the annual salary
86 supplement provided for in said subsection may not exceed
87 the number of speech-language pathologists, audiologists and
88 counselors eligible to be paid the annual salary supplement
89 under the provisions of this section in effect during the
90 school year beginning July 1, 2007, by more than one
91 hundred fifteen qualified recipients, and the total amount of
92 qualified recipients may not increase thereafter by more than
93 one hundred fifteen in each subsequent fiscal year.

94 (e) The state board shall promulgate a legislative rule
95 establishing criteria for selection of the individuals eligible
96 for reimbursement and a salary supplement in accordance
97 with this section. The selection criteria shall prioritize the
98 length of time the certification has been held and the years of
99 experience of the holder in determining eligibility.

100 (f) The state board shall report the rule to the Legislative
101 Oversight Commission on Education Accountability by the
102 January, 2009, legislative interim meeting period and shall
103 report on its progress in developing the rule to the
104 commission during prior interim meetings as requested.

105 (g) No provision of this section may be construed to
106 require any appropriation, or any specific level of
107 appropriation, by the Legislature, or payment of any
108 supplement or reimbursement described in this section for
109 which a specific appropriation has not been made.

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