

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 4070**

5 (By Delegates M. Poling and Guthrie)

6
7 [Passed March 9, 2012; in effect ninety days from passage.]

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9
10 AN ACT 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, 2012, rehabilitation teachers shall be

1 paid at the equivalent rate of pay of teachers, pursuant to section
2 two, article four, chapter eighteen-a of this code. Rehabilitation
3 teachers shall be paid outside the public school support plan,
4 defined in section one, article nine-a of this chapter, and shall
5 receive the equivalent of the salary supplement paid to teachers
6 employed by the county board within the county where the
7 administrative headquarters of the division are located, pursuant
8 to section five-a, article four, chapter eighteen-a of this code.

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

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

21 (A) Certification pursuant to section two-a, article three,
22 chapter eighteen-a of this code;

23 (B) Maintenance of current certification in their teaching
24 areas in order to remain employed; and

25 (C) Teaching only in the areas in which they are certified.

26 (2) "Equivalent rate of pay" means an annualized rate based on

1 a two hundred forty-day teaching schedule and includes pay for
2 vacation and legal state holidays.