

1 **Senate Bill No. 396**

2 (By Senators Foster and Beach)

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4 [Introduced January 24, 2012; referred to the Committee on
5 Education; and then to the Committee on Finance.]

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7 **FISCAL**
8 **NOTE**

9
10 A BILL to amend and reenact §18A-4-2b of the Code of West Virginia,
11 1931, as amended, relating to minimum salary supplement and
12 educational expense reimbursement for professional personnel
13 with recognized national certification.

14 *Be it enacted by the Legislature of West Virginia:*

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

17 **ARTICLE 4. SALARIES WAGES AND OTHER BENEFITS.**

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

23 (a) (1) The Legislature finds that achieving a nationally

1 recognized professional certification in speech-language pathology
2 or audiology involves a rigorous process of demonstrating both
3 knowledge and skills and results in highly trained and capable
4 employees. Individuals who attain national professional
5 certification by the American Speech-Language-Hearing Association
6 provide needed and essential services to the school students of
7 this state. Individuals should be encouraged to achieve and
8 maintain the national professional certification through
9 reimbursement of expenses and a salary bonus which reflects their
10 additional certification.

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

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

1 professional certification by the National Association of School
2 Psychologists provide services to students, families and school
3 systems in this state. School psychologists should be encouraged
4 to achieve and maintain this national professional certification
5 through reimbursement of expenses and a salary bonus which reflects
6 their additional certification.

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

19 (5) The Legislature finds that achieving a nationally
20 recognized professional certification in school social work helps
21 promote the quality of social work services in schools. School
22 social workers provide psychosocial assessment, counseling,
23 conflict resolution, case management, community resource
24 development, referral services and consultation to students,

1 teachers, school administrators and parents. School social workers
2 who achieve certification are better equipped to address the
3 negative psycho-social, socio-economic, human relationship, family
4 and systemic factors which impair student attendance and success.
5 Individuals who attain the National Association of Social Workers'
6 Certified School Social Work Specialist certification provide
7 services to students, families and school systems in this state.
8 School social workers should be encouraged to achieve and maintain
9 this national professional certification through reimbursement of
10 expenses and a salary bonus which reflects their additional
11 certification.

12 ~~(5)~~ (6) Therefore, the purpose of this section is:

13 (A) To provide a statewide salary supplement for certain
14 professional personnel employed in the public schools who hold
15 nationally recognized professional certification in speech-language
16 pathology, audiology, counseling, school psychology, ~~or~~ school
17 nursing or social work;

18 (B) To treat these professional certifications equally;

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

20 (D) To help school systems recruit these highly qualified
21 professionals.

22 (b) In addition to any amounts prescribed in the applicable
23 state minimum salary schedule, any professional personnel who hold
24 national certification or other credential as provided in this

1 section shall be paid an annual salary supplement of \$2,500. The
2 payment is:

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

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

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

8 (c) Professional personnel employed as speech-language
9 pathologists, audiologists, counselors, school psychologists, ~~or~~
10 school nurses or social workers are eligible upon enrollment for
11 reimbursement for one half of the fee for certification in
12 accordance with this section. In addition, these personnel are
13 eligible upon attainment of the certification for reimbursement of
14 the remainder of the application fee plus other expenses actually
15 incurred toward attainment of the certification, not exceeding
16 \$600, upon approval by the Department of Education. Not more than
17 one hundred fifteen speech-language pathologists, audiologists,
18 counselors, school psychologists, ~~and~~ school nurses and social
19 workers, combined total, are eligible for reimbursement in any one
20 fiscal year.

21 (d) Notwithstanding subsection (b) of this section, for the
22 school year beginning July 1, ~~2008~~ 2012, the number of speech-
23 language pathologists, audiologists, counselors, school
24 psychologists, ~~and~~ school nurses and social workers paid the

1 annual salary supplement provided ~~for~~ in said subsection may not
2 exceed the number of speech-language pathologists, audiologists,
3 ~~and~~ counselors, school psychologists, school nurses or social
4 workers eligible to be paid the annual salary supplement under the
5 provisions of this section in effect during the school year
6 beginning July 1, 2007, by more than one hundred fifteen qualified
7 recipients, and the total amount of qualified recipients may not
8 increase thereafter by more than one hundred fifteen in each
9 subsequent fiscal year.

10 (e) The state board shall promulgate a legislative rule
11 establishing criteria for selection of the individuals eligible for
12 reimbursement and a salary supplement in accordance with this
13 section. The selection criteria shall prioritize the length of
14 time the certification has been held and the years of experience of
15 the holder in determining eligibility.

16 (f) The state board shall report the rule to the Legislative
17 Oversight Commission on Education Accountability by the January,
18 2009, legislative interim meeting period and shall report on its
19 progress in developing the rule to the commission during prior
20 interim meetings as requested.

21 (g) No provision of this section may be construed to require
22 any appropriation, or any specific level of appropriation, by the
23 Legislature, or payment of any supplement or reimbursement
24 described in this section for which a specific appropriation has

1 not been made.

2 (h) Notwithstanding any other provision of this section or the
3 provisions of section two-a of this article, professional personnel
4 may not be paid a salary supplement pursuant to the provisions of
5 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.