

COMMITTEE SUBSTITUTE

FOR

H. B. 4070

(BY DELEGATES M. POLING AND GUTHRIE)

(Originating in the Committee on Finance)
[February 14, 2012]

A BILL to amend and reenact §18-10A-2a of the Code of West Virginia, 1931, as amended, relating to changing the basis for the county salary supplement equivalent pay rate for division of rehabilitation teachers from the amount paid to teachers by the board of education of the county in which facility in which the teacher works is located to the amount paid to teachers by the board of education of the county in which the division of rehabilitation administrative headquarters are located.

Be it enacted by the Legislature of West Virginia:

That §18-10A-2a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 10A. REHABILITATION SERVICES.

§18-10A-2a. Rehabilitation teachers.

1 (a) Notwithstanding any other provision of this code to
2 the contrary, beginning ~~July 1, 1996,~~ July 1, 2012,
3 rehabilitation teachers shall be paid at the equivalent rate of
4 pay of teachers, pursuant to section two, article four, ~~of this~~
5 ~~chapter:~~ chapter eighteen-a of this code. ~~*Provided, That*~~
6 Rehabilitation teachers shall be paid outside the public school
7 support plan, defined in section one, article nine-a of this
8 chapter, and shall receive the equivalent of the salary
9 supplement paid to teachers employed by the county board
10 within the county where the ~~facility~~ administrative
11 headquarters of the division ~~is~~ are located, pursuant to section
12 five-a, article four, ~~of this chapter:~~ chapter eighteen-a of this
13 code. ~~*Provided, however, That Any person who received an*~~
14 ~~increase in salary, pursuant to section seventeen, article four,~~
15 ~~chapter eighteen-a of this code, prior to July 1, 1996, shall~~
16 ~~continue to receive the increased salary level:~~
17 (b) For purposes of this section, the following words shall
18 be construed as follows:

19 ~~(a)~~ (1) “Rehabilitation teacher” means any person
20 employed by the division and who meets the certification
21 requirements of section two-a, article three, chapter eighteen-
22 a of this code, or who has been certified to teach by a state or
23 nationally recognized organization, as approved by the office
24 of the secretary of education and the arts. ~~Such~~ The teachers
25 shall maintain current certification in their teaching areas in
26 order to remain employed. ~~Such persons also shall~~ and may
27 teach only in the areas in which they are certified: *Provided,*
28 That teachers who were employed on or before April 1, 1995,
29 ~~shall be~~ are exempt from the following requirements:

30 ~~(1)~~ (A) Certification pursuant to section two-a, article
31 three, chapter eighteen-a of this code;

32 ~~(2)~~ (B) Maintenance of current certification in their
33 teaching areas in order to remain employed; and

34 ~~(3)~~ (C) Teaching only in the areas in which they are certified.

35 ~~(b)~~ (2) “Equivalent rate of pay” means an annualized rate
36 based on a two hundred forty-day teaching schedule and
37 includes pay for vacation and legal state holidays.