

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4465

(BY DELEGATES DUKE, ESPINOSA, WESTFALL, AMBLER,
ROWAN, COOPER, KELLY AND ROHRBACH)

[Introduced February 9, 2016;
referred to the Committee on Education then Finance.]

1 A BILL to amend and reenact §18A-4-5 of the Code of West Virginia, 1931, as amended, relating
2 to salary equity among school systems; removing definition of salary equity; making
3 legislative findings; and requiring state board recommendation upon determination equity
4 not being met.

Be it enacted by the Legislature of West Virginia:

1 That §18A-4-5 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

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

1 ~~(a) For the purposes of this section, salary equity among the counties means that the~~
2 ~~salary potential of school employees employed by the various districts throughout the state does~~
3 ~~not differ by greater than ten percent between those offering the highest salaries and those~~
4 ~~offering the lowest salaries. In the case of professional educators, the difference shall be~~
5 ~~calculated using the average of the professional educator salary schedules, degree classifications~~
6 ~~B. A. through doctorate and the years of experience provided in the most recent state minimum~~
7 ~~salary schedule for teachers, in effect in the ten counties offering the highest salary schedules~~
8 ~~compared to the lowest salary schedule in effect among the fifty-five counties. In the case of~~
9 ~~school service personnel, the difference shall be calculated utilizing the average of the school~~
10 ~~service personnel salary schedules, pay grades A through H and the years of experience provided~~
11 ~~in the most recent state minimum pay scale pay grade for service personnel, in effect in the ten~~
12 ~~counties offering the highest salary schedules compared to the lowest salary schedule in effect~~
13 ~~among the fifty-five counties.~~

14 (a) The Legislature finds that the quality of educational opportunities accessible to
15 students throughout the state depends largely upon the ability of the schools and school systems
16 to attract, employ and maintain the employment of high quality personnel. The Legislature further
17 finds that a variety of factors affect the ability of schools and school systems to attract, employ

18 and maintain the employment of high quality personnel including, but not limited to, the availability
19 of local property tax revenue to increase the salary potential of school employees above the state
20 minimums, competition for employees or classes of employees from neighboring school systems
21 within the state and in neighboring states, the availability of affordable quality housing, and cost
22 of living differentials. These factors vary among school systems and county boards should, and
23 do, employ a variety of local salary, wage, benefit and other strategies to address their varying
24 needs. The purpose of this section is to establish an objective of salary equity that maintains,
25 through a state paid supplement when necessary, a reasonable range of the potential salaries
26 available to school personnel among the counties without limiting the ability of or discouraging
27 the efforts of county boards to use the local means needed to attract, employ and maintain the
28 employment of high quality personnel in their school systems.

29 (b) To meet the objective of salary equity among the counties, ~~as defined in subsection~~
30 ~~(a) of this section,~~ on and after July 1, 1984, subject to available state appropriations and the
31 conditions set forth herein, each teacher and school service personnel shall receive an equity
32 supplement amount as specified in sections two and eight-a, respectively, of this article in addition
33 to the amount from the state minimum salary schedules provided in those sections.

34 (c) State funds for this purpose shall be paid within the West Virginia public school support
35 plan in accordance with article nine-a, chapter eighteen of this code. The amount allocated for
36 salary equity shall be apportioned between teachers and school service personnel in direct
37 proportion to that amount necessary to support the professional salaries and service personnel
38 salaries statewide under sections four, five and eight, article nine-a, chapter eighteen of this code.
39 In the event the ~~Department of Education~~ state board determines that the objective of salary
40 equity among the counties ~~has not been~~ is not being met, it shall recommend to the Governor and
41 the Legislature any legislation or method necessary to achieve it and shall include in its budget
42 request for the public school support plan for the next school year a request for funding sufficient
43 to meet the objective of salary equity through an ~~across-the-board~~ increase in the equity
44 supplement amount of the affected class of employees.

45 (d) Pursuant to this section, each teacher and service person shall receive from state
46 funds the equity supplement amount indicated in subsection (c), section two and subsection (f),
47 section eight-a of this article, as applicable, reduced by any amount provided by the county as a
48 salary supplement for teachers and school service personnel on January 1, 1984.

49 (e) The amount received pursuant to this section shall not be decreased as a result of any
50 county supplement increase instituted after January 1, 1984: *Provided*, That any amount received
51 pursuant to this section may be reduced proportionately based upon the amount of funds
52 appropriated for this purpose. No county may reduce any salary supplement that was in effect on
53 January 1, 1984, except as permitted by sections five-a and five-b of this article.

NOTE: The purpose of this bill is to eliminate the mathematical definition of salary equity and require the state board, when it determines equity is not being met, to recommend to the Governor and Legislature any legislation or method necessary to achieve it and include sufficient funding in its budget request.

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