

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2037**

BY DELEGATES THOMPSON AND ROHRBACH

[Introduced January 9, 2019; Referred  
to the Committee on Education then Finance.]

1 A BILL to amend and reenact §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as  
 2 amended, all relating to creating an additional class of special education classroom aides  
 3 and to specify the pay grade for this class of school service personnel.

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

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

**§18A-4-8. Employment term and class titles of service personnel; definitions.**

1 (a) The purpose of this section is to establish an employment term and class titles for  
 2 service personnel. The employment term for service personnel may not be less than 10 months.  
 3 A month is defined as 20 employment days. The county board may contract with all or part of  
 4 these service personnel for a longer term.

5 (b) Service personnel employed on a yearly or 12-month basis may be employed by  
 6 calendar months. Whenever there is a change in job assignment during the school year, the  
 7 minimum pay scale and any county supplement are applicable.

8 (c) Service personnel employed in the same classification for more than the 200 day  
 9 minimum employment term are paid for additional employment at a daily rate of not less than the  
 10 daily rate paid for the 200 day minimum employment term.

11 (d) A service person may not be required to report for work more than five days per week  
 12 without his or her agreement, and no part of any working day may be accumulated by the  
 13 employer for future work assignments, unless the employee agrees thereto.

14 (e) If a service person whose regular work week is scheduled from Monday through Friday  
 15 agrees to perform any work assignments on a Saturday or Sunday, the service person is paid for  
 16 at least one-half day of work for each day he or she reports for work. If the service person works  
 17 more than three and one-half hours on any Saturday or Sunday, he or she is paid for at least a  
 18 full day of work for each day.

19 (f) A custodian, aide, maintenance, office and school lunch service person required to  
 20 work a daily work schedule that is interrupted is paid additional compensation in accordance with

21 this subsection.

22 (1) A maintenance person means a person who holds a classification title other than in a  
23 custodial, aide, school lunch, office or transportation category as provided in §18A-1-1 *et seq.* of  
24 this code.

25 (2) A service person's schedule is considered to be interrupted if he or she does not work  
26 a continuous period in one day. Aides are not regarded as working an interrupted schedule when  
27 engaged exclusively in the duties of transporting students;

28 (3) The additional compensation provided in this subsection:

29 (A) Is equal to at least one eighth of a service person's total salary as provided by the state  
30 minimum pay scale and any county pay supplement; and

31 (B) Is payable entirely from county board funds.

32 (g) When there is a change in classification or when a service person meets the  
33 requirements of an advanced classification, his or her salary shall be made to comply with the  
34 requirements of this article and any county salary schedule in excess of the minimum  
35 requirements of this article, based upon the service person's advanced classification and  
36 allowable years of employment.

37 (h) A service person's contract, as provided in §18A-2-5 of this code, shall state the  
38 appropriate monthly salary the employee is to be paid, based on the class title as provided in this  
39 article and on any county salary schedule in excess of the minimum requirements of this article.

40 (i) The column heads of the state minimum pay scale and class titles, set forth in  
41 §18A-4-8a of this code, are defined as follows:

42 (1) "Pay grade" means the monthly salary applicable to class titles of service personnel;

43 (2) "Years of employment" means the number of years which an employee classified as a  
44 service person has been employed by a county board in any position prior to or subsequent to  
45 the effective date of this section and includes service in the Armed Forces of the United States, if  
46 the employee was employed at the time of his or her induction. For the purpose of §18A-4-8a of

47 this code, years of employment is limited to the number of years shown and allowed under the  
48 state minimum pay scale as set forth in §18A-4-8a of this code;

49 (3) "Class title" means the name of the position or job held by a service person;

50 (4) "Accountant I" means a person employed to maintain payroll records and reports and  
51 perform one or more operations relating to a phase of the total payroll;

52 (5) "Accountant II" means a person employed to maintain accounting records and to be  
53 responsible for the accounting process associated with billing, budgets, purchasing and related  
54 operations;

55 (6) "Accountant III" means a person employed in the county board office to manage and  
56 supervise accounts payable, payroll procedures, or both;

57 (7) "Accounts payable supervisor" means a person employed in the county board office  
58 who has primary responsibility for the accounts payable function and who either has completed  
59 twelve college hours of accounting courses from an accredited institution of higher education or  
60 has at least eight years of experience performing progressively difficult accounting tasks.  
61 Responsibilities of this class title may include supervision of other personnel;

62 (8) "Aide I" means a person selected and trained for a teacher-aide classification such as  
63 monitor aide, clerical aide, classroom aide or general aide;

64 (9) "Aide II" means a service person referred to in the "Aide I" classification who has  
65 completed a training program approved by the state board, or who holds a high school diploma  
66 or has received a general educational development certificate. Only a person classified in an Aide  
67 II class title may be employed as an aide in any special education program

68 (10) "Aide III" means a service person referred to in the "Aide I" classification who holds a  
69 high school diploma or a general educational development certificate; and

70 (A) Has completed six semester hours of college credit at an institution of higher  
71 education; or

72 (B) Is employed as an aide in a special education program and has one year's experience

73 as an aide in special education;

74 (11) "Aide IV" means a service person referred to in the "Aide I" classification who holds a  
75 high school diploma or a general educational development certificate; and

76 (A) Has completed 18 hours of State Board-approved college credit at a regionally  
77 accredited institution of higher education, or

78 (B) Has completed fifteen hours of State Board-approved college credit at a regionally  
79 accredited institution of higher education; and has successfully completed an in-service training  
80 program determined by the state board to be the equivalent of three hours of college credit;

81 (12) "Aide V" means a special education classroom aide who has elected to complete  
82 three e-learning classes, designed to improve skills and competencies related to the provision of  
83 services to special needs students, provided through the Department of Education's Office of  
84 Special Education;

85 ~~(12)~~ (13) "Audiovisual technician" means a person employed to perform minor  
86 maintenance on audiovisual equipment, films, and supplies and who fills requests for equipment;

87 ~~(13)~~ (14) "Auditor" means a person employed to examine and verify accounts of individual  
88 schools and to assist schools and school personnel in maintaining complete and accurate records  
89 of their accounts;

90 ~~(14)~~ (15) "Autism mentor" means a person who works with autistic students and who meets  
91 standards and experience to be determined by the state Board. A person who has held or holds  
92 an aide title and becomes employed as an autism mentor shall hold a multiclassification status  
93 that includes both aide and autism mentor titles, in accordance with §18A-4-8b of this code;

94 ~~(15)~~ (16) "Braille specialist" means a person employed to provide braille assistance to  
95 students. A service person who has held or holds an aide title and becomes employed as a braille  
96 specialist shall hold a multiclassification status that includes both aide and braille specialist title,  
97 in accordance with §18A-4-8b of this code;

98 ~~(16)~~ (17) "Bus operator" means a person employed to operate school buses and other

99 school transportation vehicles as provided by the state board;

100 ~~(17)~~ (18) "Buyer" means a person employed to review and write specifications, negotiate  
101 purchase bids and recommend purchase agreements for materials and services that meet  
102 predetermined specifications at the lowest available costs;

103 ~~(18)~~ (19) "Cabinetmaker" means a person employed to construct cabinets, tables,  
104 bookcases and other furniture;

105 ~~(19)~~ (20) "Cafeteria manager" means a person employed to direct the operation of a food  
106 services program in a school, including assigning duties to employees, approving requisitions for  
107 supplies and repairs, keeping inventories, inspecting areas to maintain high standards of  
108 sanitation, preparing financial reports and keeping records pertinent to food services of a school;

109 ~~(20)~~ (21) "Carpenter I" means a person classified as a carpenter's helper;

110 ~~(21)~~ (22) "Carpenter II" means a person classified as a journeyman carpenter;

111 ~~(22)~~ (23) "Chief mechanic" means a person employed to be responsible for directing  
112 activities which ensure that student transportation or other county board-owned vehicles are  
113 properly and safely maintained;

114 ~~(23)~~ (24) "Clerk I" means a person employed to perform clerical tasks;

115 ~~(24)~~ (25) "Clerk II" means a person employed to perform general clerical tasks, prepare  
116 reports and tabulations, and operate office machines;

117 ~~(25)~~ (26) "Computer operator" means a qualified person employed to operate computers;

118 ~~(26)~~ (27) "Cook I" means a person employed as a cook's helper;

119 ~~(27)~~ (28) "Cook II" means a person employed to interpret menus and to prepare and serve  
120 meals in a food service program of a school. This definition includes a service person who has  
121 been employed as a "Cook I" for a period of four years;

122 ~~(28)~~ (29) "Cook III" means a person employed to prepare and serve meals, make reports,  
123 prepare requisitions for supplies, order equipment and repairs for a food service program of a  
124 school system;

125 ~~(29)~~ (30) "Crew leader" means a person employed to organize the work for a crew of  
126 maintenance employees to carry out assigned projects;

127 ~~(30)~~ (31) "Custodian I" means a person employed to keep buildings clean and free of  
128 refuse;

129 ~~(31)~~ (32) "Custodian II" means a person employed as a watchman or groundsman;

130 ~~(32)~~ (33) "Custodian III" means a person employed to keep buildings clean and free of  
131 refuse, to operate the heating or cooling systems and to make minor repairs;

132 ~~(33)~~ (34) "Custodian IV" means a person employed as a head custodian. In addition to  
133 providing services as defined in "Custodian III" duties may include supervising other custodian  
134 personnel;

135 ~~(34)~~ (35) "Director or coordinator of services" means an employee of a county board who  
136 is assigned to direct a department or division.

137 (A) Nothing in this subdivision prohibits a professional person or a professional educator  
138 from holding this class title;

139 (B) Professional personnel holding this class title may not be defined or classified as  
140 service personnel unless the professional person held a service personnel title under this section  
141 prior to holding the class title of "director or coordinator of services;"

142 (C) The director or coordinator of services is classified either as a professional person or  
143 a service person for state aid formula funding purposes;

144 (D) Funding for the position of director or coordinator of services is based upon the  
145 employment status of the director or coordinator either as a professional person or a service  
146 person; and

147 (E) A person employed under the class title "director or coordinator of services" may not  
148 be exclusively assigned to perform the duties ascribed to any other class title as defined in this  
149 subsection: *Provided*, That nothing in this paragraph prohibits a person in this position from being  
150 multiclassified;

151 ~~(35)~~ (36) “Draftsman” means a person employed to plan, design and produce detailed  
152 architectural/engineering drawings;

153 ~~(36)~~ (37) “Early Childhood Classroom Assistant Teacher I” means a person who does not  
154 possess minimum requirements for the permanent authorization requirements, but is enrolled in  
155 and pursuing requirements;

156 ~~(37)~~ (38) “Early Childhood Classroom Assistant Teacher II” means a person who has  
157 completed the minimum requirements for a state-awarded certificate for early childhood  
158 classroom assistant teachers as determined by the state Board;

159 ~~(38)~~ (39) “Early Childhood Classroom Assistant Teacher III” means a person who has  
160 completed permanent authorization requirements, as well as additional requirements comparable  
161 to current paraprofessional certificate;

162 ~~(39)~~ (40) “Educational Sign Language Interpreter I” means a person employed to provide  
163 communication access across all educational environments to students who are deaf or hard of  
164 hearing, and who holds the Initial Paraprofessional Certificate – Educational Interpreter pursuant  
165 to state board policy;

166 ~~(40)~~ (41) “Educational Sign Language Interpreter II” means a person employed to provide  
167 communication access across all educational environments to students who are deaf or hard of  
168 hearing, and who holds the Permanent Paraprofessional Certificate – Educational Interpreter  
169 pursuant to state board policy;

170 ~~(41)~~ (42) “Electrician I” means a person employed as an apprentice electrician helper or  
171 one who holds an electrician helper license issued by the State Fire Marshal;

172 ~~(42)~~ (43) “Electrician II” means a person employed as an electrician journeyman or one  
173 who holds a journeyman electrician license issued by the State Fire Marshal;

174 ~~(43)~~ (44) “Electronic technician I” means a person employed at the apprentice level to  
175 repair and maintain electronic equipment;

176 ~~(44)~~ (45) “Electronic technician II” means a person employed at the journeyman level to

177 repair and maintain electronic equipment;

178 ~~(45)~~ (46) "Executive secretary" means a person employed as secretary to the county  
179 school superintendent or as a secretary who is assigned to a position characterized by significant  
180 administrative duties;

181 ~~(46)~~ (47) "Food services supervisor" means a qualified person who is not a professional  
182 person or professional educator as defined in §18A-1-1 *et seq.* of this code. The food services  
183 supervisor is employed to manage and supervise a county school system's food service program.  
184 The duties include preparing in-service training programs for cooks and food service employees,  
185 instructing personnel in the areas of quantity cooking with economy and efficiency and keeping  
186 aggregate records and reports;

187 ~~(47)~~ (48) "Foreman" means a skilled person employed to supervise personnel who work  
188 in the areas of repair and maintenance of school property and equipment;

189 ~~(48)~~ (49) "General maintenance" means a person employed as a helper to skilled  
190 maintenance employees, and to perform minor repairs to equipment and buildings of a county  
191 school system;

192 ~~(49)~~ (50) "Glazier" means a person employed to replace glass or other materials in  
193 windows and doors and to do minor carpentry tasks;

194 ~~(50)~~ (51) "Graphic artist" means a person employed to prepare graphic illustrations;

195 ~~(51)~~ (52) "Groundsman" means a person employed to perform duties that relate to the  
196 appearance, repair and general care of school grounds in a county school system. Additional  
197 assignments may include the operation of a small heating plant and routine cleaning duties in  
198 buildings;

199 ~~(52)~~ (53) "Handyman" means a person employed to perform routine manual tasks in any  
200 operation of the county school system;

201 ~~(53)~~ (54) "Heating and air conditioning mechanic I" means a person employed at the  
202 apprentice level to install, repair and maintain heating and air conditioning plants and related

203 electrical equipment;

204 ~~(54)~~ (55) "Heating and air conditioning mechanic II" means a person employed at the  
205 journeyman level to install, repair and maintain heating and air conditioning plants and related  
206 electrical equipment;

207 ~~(55)~~ (56) "Heavy equipment operator" means a person employed to operate heavy  
208 equipment;

209 ~~(56)~~ (57) "Inventory supervisor" means a person employed to supervise or maintain  
210 operations in the receipt, storage, inventory and issuance of materials and supplies;

211 ~~(57)~~ (58) "Key punch operator" means a qualified person employed to operate key punch  
212 machines or verifying machines;

213 ~~(58)~~ (59) "Licensed practical nurse" means a nurse, licensed by the West Virginia Board  
214 of Examiners for Licensed Practical Nurses, employed to work in a public school under the  
215 supervision of a school nurse;

216 ~~(59)~~ (60) "Locksmith" means a person employed to repair and maintain locks and safes;

217 ~~(60)~~ (61) "Lubrication man" means a person employed to lubricate and service gasoline  
218 or diesel-powered equipment of a county school system;

219 ~~(61)~~ (62) "Machinist" means a person employed to perform machinist tasks which include  
220 the ability to operate a lathe, planer, shaper, threading machine and wheel press. A person  
221 holding this class title also should have the ability to work from blueprints and drawings;

222 ~~(62)~~ (63) "Mail clerk" means a person employed to receive, sort, dispatch, deliver or  
223 otherwise handle letters, parcels and other mail;

224 ~~(63)~~ (64) "Maintenance clerk" means a person employed to maintain and control a stocking  
225 facility to keep adequate tools and supplies on hand for daily withdrawal for all school  
226 maintenance crafts;

227 ~~(64)~~ (65) "Mason" means a person employed to perform tasks connected with brick and  
228 block laying and carpentry tasks related to these activities;

229 ~~(65)~~ (66) "Mechanic" means a person employed to perform skilled duties independently in  
230 the maintenance and repair of automobiles, school buses and other mechanical and mobile  
231 equipment to use in a county school system;

232 ~~(66)~~ (67) "Mechanic assistant" means a person employed as a mechanic apprentice and  
233 helper;

234 ~~(67)~~ (68) "Multiclassification" means a person employed to perform tasks that involve the  
235 combination of two or more class titles in this section. In these instances the minimum salary  
236 scale is the higher pay grade of the class titles involved;

237 ~~(68)~~ (69) "Office equipment repairman I" means a person employed as an office equipment  
238 repairman apprentice or helper;

239 ~~(69)~~ (70) "Office equipment repairman II" means a person responsible for servicing and  
240 repairing all office machines and equipment. A person holding this class title is responsible for the  
241 purchase of parts necessary for the proper operation of a program of continuous maintenance  
242 and repair;

243 ~~(70)~~ (71) "Painter" means a person employed to perform duties painting, finishing and  
244 decorating wood, metal and concrete surfaces of buildings, other structures, equipment,  
245 machinery and furnishings of a county school system;

246 ~~(71)~~ (72) "Paraprofessional" means a person certified pursuant to §18A-3-2a of this code  
247 to perform duties in a support capacity including, but not limited to, facilitating in the instruction  
248 and direct or indirect supervision of students under the direction of a principal, a teacher or another  
249 designated professional educator.

250 (A) A person employed on the effective date of this section in the position of an aide may  
251 not be subject to a reduction in force or transferred to create a vacancy for the employment of a  
252 paraprofessional;

253 (B) A person who has held or holds an aide title and becomes employed as a  
254 paraprofessional shall hold a multiclassification status that includes both aide and

255 paraprofessional titles in accordance with §18A-4-8b of this code; and

256 (C) When a service person who holds an aide title becomes certified as a paraprofessional  
257 and is required to perform duties that may not be performed by an aide without paraprofessional  
258 certification, he or she shall receive the paraprofessional title pay grade;

259 ~~(72)~~ (73) "Payroll supervisor" means a person employed in the county board office who  
260 has primary responsibility for the payroll function and who either has completed twelve college  
261 hours of accounting from an accredited institution of higher education or has at least eight years  
262 of experience performing progressively difficult accounting tasks. Responsibilities of this class title  
263 may include supervision of other personnel;

264 ~~(73)~~ (74) "Plumber I" means a person employed as an apprentice plumber and helper;

265 ~~(74)~~ (75) "Plumber II" means a person employed as a journeyman plumber;

266 ~~(75)~~ (76) "Printing operator" means a person employed to operate duplication equipment,  
267 and to cut, collate, staple, bind and shelve materials as required;

268 ~~(76)~~ (77) "Printing supervisor" means a person employed to supervise the operation of a  
269 print shop;

270 ~~(77)~~ (78) "Programmer" means a person employed to design and prepare programs for  
271 computer operation;

272 ~~(78)~~ (79) "Roofing/sheet metal mechanic" means a person employed to install, repair,  
273 fabricate and maintain roofs, gutters, flashing and duct work for heating and ventilation;

274 ~~(79)~~ (80) "Sanitation plant operator" means a person employed to operate and maintain a  
275 water or sewage treatment plant to ensure the safety of the plant's effluent for human consumption  
276 or environmental protection;

277 ~~(80)~~ (81) "School bus supervisor" means a qualified person:

278 (A) Employed to assist in selecting school bus operators and routing and scheduling  
279 school buses, operate a bus when needed, relay instructions to bus operators, plan emergency  
280 routing of buses and promote good relationships with parents, students, bus operators and other

281 employees; and

282 (B) Certified to operate a bus or previously certified to operate a bus;

283 ~~(84)~~ (82) "Secretary I" means a person employed to transcribe from notes or mechanical  
284 equipment, receive callers, perform clerical tasks, prepare reports and operate office machines;

285 ~~(82)~~ (83) "Secretary II" means a person employed in any elementary, secondary,  
286 kindergarten, nursery, special education, vocational, or any other school as a secretary. The  
287 duties may include performing general clerical tasks; transcribing from notes; stenotype,  
288 mechanical equipment or a sound-producing machine; preparing reports; receiving callers and  
289 referring them to proper persons; operating office machines; keeping records and handling routine  
290 correspondence. Nothing in this subdivision prevents a service person from holding or being  
291 elevated to a higher classification;

292 ~~(83)~~ (84) "Secretary III" means a person assigned to the county board office administrators  
293 in charge of various instructional, maintenance, transportation, food services, operations and  
294 health departments, federal programs or departments with particular responsibilities in purchasing  
295 and financial control or any person who has served for eight years in a position which meets the  
296 definition of "Secretary II" or "Secretary III";

297 ~~(84)~~ (85) "Sign Support Specialist" means a person employed to provide sign supported  
298 speech assistance to students who are able to access environments through audition. A person  
299 who has held or holds an aide title and becomes employed as a sign support specialist shall hold  
300 a multiclassification status that includes both aide and sign support specialist titles, in accordance  
301 with §18A-4-8b of this code.

302 ~~(85)~~ (86) "Supervisor of maintenance" means a skilled person who is not a professional  
303 person or professional educator as defined in §18A-1-1 *et seq.* of this code. The responsibilities  
304 include directing the upkeep of buildings and shops, and issuing instructions to subordinates  
305 relating to cleaning, repairs and maintenance of all structures and mechanical and electrical  
306 equipment of a county board;

307           ~~(86)~~ (87) “Supervisor of transportation” means a qualified person employed to direct  
308 school transportation activities properly and safely, and to supervise the maintenance and repair  
309 of vehicles, buses and other mechanical and mobile equipment used by the county school system.  
310 After July 1, 2010, all persons employed for the first time in a position with this classification title  
311 or in a multiclassification position that includes this title shall have five years of experience working  
312 in the transportation department of a county board. Experience working in the transportation  
313 department consists of serving as a bus operator, bus aide, assistant mechanic, mechanic, chief  
314 mechanic or in a clerical position within the transportation department;

315           ~~(87)~~ (88) “Switchboard operator-receptionist” means a person employed to refer incoming  
316 calls, to assume contact with the public, to direct and to give instructions as necessary, to operate  
317 switchboard equipment and to provide clerical assistance;

318           ~~(88)~~ (89) “Truck driver” means a person employed to operate light or heavy duty gasoline  
319 and diesel-powered vehicles;

320           ~~(89)~~ (90) “Warehouse clerk” means a person employed to be responsible for receiving,  
321 storing, packing and shipping goods;

322           ~~(90)~~ (91) “Watchman” means a person employed to protect school property against  
323 damage or theft. Additional assignments may include operation of a small heating plant and  
324 routine cleaning duties;

325           ~~(91)~~ (92) “Welder” means a person employed to provide acetylene or electric welding  
326 services for a school system; and

327           ~~(92)~~ (93) “WVEIS data entry and administrative clerk” means a person employed to work  
328 under the direction of a school principal to assist the school counselor or counselors in the  
329 performance of administrative duties, to perform data entry tasks on the West Virginia Education  
330 Information System, and to perform other administrative duties assigned by the principal.

331           (j) Notwithstanding any provision in this code to the contrary, and in addition to the  
332 compensation provided for service personnel in §18A-4-8a of this code, each service person is

333 entitled to all service personnel employee rights, privileges and benefits provided under this or  
334 any other chapter of this code without regard to the employee's hours of employment or the  
335 methods or sources of compensation.

336 (k) A service person whose years of employment exceeds the number of years shown and  
337 provided for under the state minimum pay scale set forth in §18A-4-8a of this code may not be  
338 paid less than the amount shown for the maximum years of employment shown and provided for  
339 in the classification in which he or she is employed.

340 (l) Each county board shall review each service person's job classification annually and  
341 shall reclassify all service persons as required by the job classifications. The State Superintendent  
342 may withhold state funds appropriated pursuant to this article for salaries for service personnel  
343 who are improperly classified by the county boards. Further, the state superintendent shall order  
344 a county board to correct immediately any improper classification matter and, with the assistance  
345 of the Attorney General, shall take any legal action necessary against any county board to enforce  
346 the order.

347 (m) Without his or her written consent, a service person may not be:

348 (1) Reclassified by class title; or

349 (2) Relegated to any condition of employment which would result in a reduction of his or  
350 her salary, rate of pay, compensation or benefits earned during the current fiscal year; or for which  
351 he or she would qualify by continuing in the same job position and classification held during that  
352 fiscal year and subsequent years.

353 (n) Any county board failing to comply with the provisions of this article may be compelled  
354 to do so by mandamus and is liable to any party prevailing against the board for court costs and  
355 the prevailing party's reasonable attorney fee, as determined and established by the court.

356 (o) Notwithstanding any provision of this code to the contrary, a service person who holds  
357 a continuing contract in a specific job classification and who is physically unable to perform the  
358 job's duties as confirmed by a physician chosen by the employee, shall be given priority status

359 over any employee not holding a continuing contract in filling other service personnel job  
360 vacancies if the service person is qualified as provided in §18A-4-8e of this code.

361 (p) Any person employed in an aide position on the effective date of this section may not  
362 be transferred or subject to a reduction in force for the purpose of creating a vacancy for the  
363 employment of a licensed practical nurse.

364 (q) Without the written consent of the service person, a county board may not establish  
365 the beginning work station for a bus operator or transportation aide at any site other than a county  
366 board-owned facility with available parking. The workday of the bus operator or transportation  
367 aide commences at the bus at the designated beginning work station and ends when the  
368 employee is able to leave the bus at the designated beginning work station, unless he or she  
369 agrees otherwise in writing. The application or acceptance of a posted position may not be  
370 construed as the written consent referred to in this subsection.

371 (r) Itinerant status means a service person who does not have a fixed work site and may  
372 be involuntarily reassigned to another work site. A service person is considered to hold itinerant  
373 status if he or she has bid upon a position posted as itinerant or has agreed to accept this status.  
374 A county board may establish positions with itinerant status only within the aide and autism mentor  
375 classification categories and only when the job duties involve exceptional students. A service  
376 person with itinerant status may be assigned to a different work site upon written notice ten days  
377 prior to the reassignment without the consent of the employee and without posting the vacancy.  
378 A service person with itinerant status may be involuntarily reassigned no more than twice during  
379 the school year. At the conclusion of each school year, the county board shall post and fill,  
380 pursuant to §18A-4-8b of this code, all positions that have been filled without posting by a service  
381 person with itinerant status. A service person who is assigned to a beginning and ending work  
382 site and travels at the expense of the county board to other work sites during the daily schedule,  
383 is not considered to hold itinerant status.

384 (s) Any service person holding a classification title on June 30, 2013, that is removed from

385 the classification schedule pursuant to amendment and reenactment of this section in the year  
386 2013, has his or her employment contract revised as follows:

387 (1) Any service person holding the Braille or Sign Language Specialist classification title  
388 has that classification title renamed on his or her employment contract as either Braille Specialist  
389 or Sign Support Specialist. This action does not result in a loss or reduction of salary or  
390 supplement by any employee. Any seniority earned in the Braille or Sign Language Specialist  
391 classification prior to July 1, 2013, continues to be credited as seniority earned in the Braille  
392 Specialist or Sign Support Specialist classification;

393 (2) Any service person holding the Paraprofessional classification title and holding the  
394 Initial Paraprofessional Certificate – Educational Interpreter has the title Educational Sign  
395 Language Interpreter I added to his or her employment contract. This action does not result in a  
396 loss or reduction of salary or supplement by any employee. Any seniority earned in the  
397 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned  
398 in the Educational Sign Language Interpreter I classification; and

399 (3) Any service person holding the Paraprofessional classification title and holding the  
400 Permanent Paraprofessional Certificate – Educational Interpreter has the title Educational Sign  
401 Language Interpreter II added to his or her employment contract. This action does not result in a  
402 loss or reduction of salary or supplement by any employee. Any seniority earned in the  
403 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned  
404 in the Educational Sign Language Interpreter II classification;

405 (t) Any person employed as an aide in a kindergarten program who is eligible for full  
406 retirement benefits before the first day of the instructional term in the 2020-2021 school year, may  
407 not be subject to a reduction in force or transferred to create a vacancy for the employment of a  
408 less senior Early Childhood Classroom Assistant Teacher;

409 (u) A person who has held or holds an aide title and becomes employed as an Early  
410 Childhood Classroom Assistant Teacher shall hold a multiclassification status that includes aide

411 and/or paraprofessional titles in accordance with §18A-4-8b of this code.

**§18A-4-8a. Service personnel minimum monthly salaries.**

1 (a) The minimum monthly pay for each service employee shall be as follows:

2 (1) For school year 2018–2019, and continuing thereafter, the minimum monthly pay for  
 3 each service employee whose employment is for a period of more than three and one-half hours  
 4 a day shall be at least the amounts indicated in the State Minimum Pay Scale Pay Grade and the  
 5 minimum monthly pay for each service employee whose employment is for a period of three and  
 6 one-half hours or less a day shall be at least one-half the amount indicated in the State Minimum  
 7 Pay Scale Pay Grade set forth in this subdivision.

8 STATE MINIMUM PAY SCALE PAY GRADE

Years Exp.	PAY GRADE							
	A	B	C	D	E	F	G	H
0	1,770	1,791	1,833	1,886	1,939	2,002	2,034	2,107
1	1,802	1,824	1,865	1,918	1,972	2,035	2,066	2,140
2	1,835	1,856	1,898	1,951	2,004	2,067	2,099	2,172
3	1,867	1,889	1,931	1,984	2,037	2,100	2,132	2,205
4	1,900	1,922	1,963	2,016	2,069	2,133	2,164	2,239
5	1,933	1,954	1,996	2,049	2,102	2,165	2,197	2,271
6	1,965	1,987	2,030	2,082	2,135	2,198	2,230	2,304
7	1,999	2,019	2,062	2,114	2,167	2,231	2,262	2,337
8	2,032	2,052	2,095	2,147	2,200	2,263	2,295	2,369
9	2,064	2,085	2,128	2,181	2,233	2,296	2,327	2,402
10	2,097	2,118	2,160	2,213	2,265	2,330	2,361	2,435
11	2,130	2,151	2,193	2,246	2,298	2,362	2,394	2,467
12	2,162	2,184	2,225	2,279	2,332	2,395	2,426	2,500
13	2,195	2,216	2,258	2,311	2,364	2,427	2,459	2,533



13	Accountant I .....	D
14	Accountant II .....	E
15	Accountant III .....	F
16	Accounts Payable Supervisor .....	G
17	Aide I .....	A
18	Aide II .....	B
19	Aide III .....	C
20	Aide IV .....	D
21	<u>Aide V .....</u>	<u>E</u>
22	Audiovisual Technician .....	C
23	Auditor .....	G
24	Autism Mentor .....	F
25	Braille Specialist .....	E
26	Bus Operator .....	D
27	Buyer .....	F
28	Cabinetmaker .....	G
29	Cafeteria Manager .....	D
30	Carpenter I .....	E
31	Carpenter II .....	F
32	Chief Mechanic .....	G
33	Clerk I .....	B
34	Clerk II .....	C
35	Computer Operator .....	E
36	Cook I .....	A
37	Cook II .....	B
38	Cook III .....	C

39 Crew Leader ..... F

40 Custodian I .....A

41 Custodian II .....B

42 Custodian III .....C

43 Custodian IV .....D

44 Director or Coordinator of Services .....H

45 Draftsman .....D

46 Early Childhood Classroom Assistant Teacher I .....E

47 Early Childhood Classroom Assistant Teacher II .....E

48 Early Childhood Classroom Assistant Teacher III ..... F

49 Educational Sign Language Interpreter I ..... F

50 Educational Sign Language Interpreter II ..... G

51 Electrician I ..... F

52 Electrician II ..... G

53 Electronic Technician I ..... F

54 Electronic Technician II ..... G

55 Executive Secretary ..... G

56 Food Services Supervisor ..... G

57 Foreman ..... G

58 General Maintenance .....C

59 Glazier .....D

60 Graphic Artist .....D

61 Groundsman .....B

62 Handyman .....B

63 Heating and Air Conditioning Mechanic I .....E

64 Heating and Air Conditioning Mechanic II ..... G

65 Heavy Equipment Operator .....E

66 Inventory Supervisor .....D

67 Key Punch Operator .....B

68 Licensed Practical Nurse ..... F

69 Locksmith ..... G

70 Lubrication Man .....C

71 Machinist ..... F

72 Mail Clerk .....D

73 Maintenance Clerk .....C

74 Mason ..... G

75 Mechanic ..... F

76 Mechanic Assistant .....E

77 Office Equipment Repairman I ..... F

78 Office Equipment Repairman II ..... G

79 Painter .....E

80 Paraprofessional ..... F

81 Payroll Supervisor ..... G

82 Plumber I .....E

83 Plumber II ..... G

84 Printing Operator .....B

85 Printing Supervisor .....D

86 Programmer .....H

87 Roofing/Sheet Metal Mechanic ..... F

88 Sanitation Plant Operator ..... G

89 School Bus Supervisor .....E

90 Secretary I .....D

91 Secretary II .....E

92 Secretary III ..... F

93 Sign Support Specialist .....E

94 Supervisor of Maintenance .....H

95 Supervisor of Transportation .....H

96 Switchboard Operator-Receptionist .....D

97 Truck Driver .....D

98 Warehouse Clerk .....C

99 Watchman .....B

100 Welder ..... F

101 WVEIS Data Entry and Administrative Clerk .....B

102 (b) An additional \$12 per month is added to the minimum monthly pay of each service  
 103 person who holds a high school diploma or its equivalent.

104 (c) An additional \$11 per month also is added to the minimum monthly pay of each service  
 105 person for each of the following:

106 (1) A service person who holds 12 college hours or comparable credit obtained in a trade  
 107 or vocational school as approved by the state board;

108 (2) A service person who holds 24 college hours or comparable credit obtained in a trade  
 109 or vocational school as approved by the state board;

110 (3) A service person who holds 36 college hours or comparable credit obtained in a trade  
 111 or vocational school as approved by the state board;

112 (4) A service person who holds 48 college hours or comparable credit obtained in a trade  
 113 or vocational school as approved by the state board;

114 (5) A service employee who holds 60 college hours or comparable credit obtained in a  
 115 trade or vocational school as approved by the state board;

116 (6) A service person who holds 72 college hours or comparable credit obtained in a trade  
117 or vocational school as approved by the state board;

118 (7) A service person who holds 84 college hours or comparable credit obtained in a trade  
119 or vocational school as approved by the state board;

120 (8) A service person who holds 96 college hours or comparable credit obtained in a trade  
121 or vocational school as approved by the state board;

122 (9) A service person who holds 108 college hours or comparable credit obtained in a trade  
123 or vocational school as approved by the state board;

124 (10) A service person who holds 120 college hours or comparable credit obtained in a  
125 trade or vocational school as approved by the state board.

126 (d) An additional \$40 per month also is added to the minimum monthly pay of each service  
127 person for each of the following:

128 (1) A service person who holds an associate's degree;

129 (2) A service person who holds a bachelor's degree;

130 (3) A service person who holds a master's degree;

131 (4) A service person who holds a doctorate degree.

132 (e) An additional \$11 per month is added to the minimum monthly pay of each service  
133 person for each of the following:

134 (1) A service person who holds a bachelor's degree plus 15 college hours;

135 (2) A service person who holds a master's degree plus 15 college hours;

136 (3) A service person who holds a master's degree plus 30 college hours;

137 (4) A service person who holds a master's degree plus 45 college hours; and

138 (5) A service person who holds a master's degree plus 60 college hours.

139 (f) To meet the objective of salary equity among the counties, each service person is paid  
140 an equity supplement, as set forth in §18A-4-5 of this code, of \$164 per month, subject to the  
141 provisions of that section. These payments: (i) Are in addition to any amounts prescribed in the

142 applicable State Minimum Pay Scale Pay Grade, any specific additional amounts prescribed in  
143 this section and article and any county supplement in effect in a county pursuant to §18A-4-5b of  
144 this code; (ii) are paid in equal monthly installments; and (iii) are considered a part of the state  
145 minimum salaries for service personnel.

146 (g) When any part of a school service person's daily shift of work is performed between  
147 the hours of 6:00 p. m. and 5:00 a. m. the following day, the employee is paid no less than an  
148 additional \$10 per month and one half of the pay is paid with local funds.

149 (h) Any service person required to work on any legal school holiday is paid at a rate one  
150 and one-half times the person's usual hourly rate.

151 (i) Any full-time service personnel required to work in excess of their normal working day  
152 during any week which contains a school holiday for which they are paid is paid for the additional  
153 hours or fraction of the additional hours at a rate of one and one-half times their usual hourly rate  
154 and paid entirely from county board funds.

155 (j) A service person may not have his or her daily work schedule changed during the school  
156 year without the employee's written consent and the person's required daily work hours may not  
157 be changed to prevent the payment of time and one-half wages or the employment of another  
158 employee.

159 (k) The minimum hourly rate of pay for extra duty assignments as defined in §18A-4-8b of  
160 this code is no less than one seventh of the person's daily total salary for each hour the person is  
161 involved in performing the assignment and paid entirely from local funds: Provided, That an  
162 alternative minimum hourly rate of pay for performing extra duty assignments within a particular  
163 category of employment may be used if the alternate hourly rate of pay is approved both by the  
164 county board and by the affirmative vote of a two-thirds majority of the regular full-time persons  
165 within that classification category of employment within that county: Provided, however, That the  
166 vote is by secret ballot if requested by a service person within that classification category within  
167 that county. The salary for any fraction of an hour the employee is involved in performing the

168 assignment is prorated accordingly. When performing extra duty assignments, persons who are  
169 regularly employed on a one-half day salary basis shall receive the same hourly extra duty  
170 assignment pay computed as though the person were employed on a full-day salary basis.

171 (l) The minimum pay for any service personnel engaged in the removal of asbestos  
172 material or related duties required for asbestos removal is their regular total daily rate of pay and  
173 no less than an additional \$3 per hour or no less than \$5 per hour for service personnel  
174 supervising asbestos removal responsibilities for each hour these employees are involved in  
175 asbestos-related duties. Related duties required for asbestos removal include, but are not limited  
176 to, travel, preparation of the work site, removal of asbestos, decontamination of the work site,  
177 placing and removal of equipment and removal of structures from the site. If any member of an  
178 asbestos crew is engaged in asbestos-related duties outside of the employee's regular  
179 employment county, the daily rate of pay is no less than the minimum amount as established in  
180 the employee's regular employment county for asbestos removal and an additional \$30 per each  
181 day the employee is engaged in asbestos removal and related duties. The additional pay for  
182 asbestos removal and related duties shall be payable entirely from county funds. Before service  
183 personnel may be used in the removal of asbestos material or related duties, they shall have  
184 completed a federal Environmental Protection Act-approved training program and be licensed.  
185 The employer shall provide all necessary protective equipment and maintain all records required  
186 by the Environmental Protection Act.

187 (m) For the purpose of qualifying for additional pay as provided in §18A-5-8 of this code,  
188 an aide is considered to be exercising the authority of a supervisory aide and control over pupils  
189 if the aide is required to supervise, control, direct, monitor, escort, or render service to a child or  
190 children when not under the direct supervision of a certified professional person within the  
191 classroom, library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever  
192 supervision is required. For purposes of this section, "under the direct supervision of a certified

193 professional person” means that certified professional person is present, with and accompanying  
194 the aide.

NOTE: The purpose of this bill is to create an additional class of special education classroom aide and to specify the pay grade for this class of school service personnel.

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