

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **Senate Bill 222**

BY SENATOR RUCKER

[Introduced January 12, 2022; referred  
to the Committee on Education; and then to the  
Committee on Finance]

1 A BILL amend and reenact §18A-4-1 and §18A-4-2 of the Code of West Virginia, 1931, as  
2 amended, all relating generally to in-field master's degree; revising definition of "M.A.";  
3 adding definition for "in-field master's degree"; providing that salary increase for holding  
4 an in-field master's degree is contingent upon a classroom teacher's assignment; requiring  
5 the state board to promulgate rules for the administration and implementation of the in-  
6 field master's salary; specifying contents of rule; requiring the Higher Education Policy  
7 Commission to develop a plan to provide readily accessible "M.A." classification programs  
8 at West Virginia institutions of higher education for professional educators throughout the  
9 state; requiring the commission to propose a legislative rule outlining the process for the  
10 state's public master's degree-granting institutions to offer a fully online, collaborative  
11 graduate program for educators providing academic coursework including pedagogy,  
12 curriculum and instructional design, and behavioral health areas of focus; and prohibiting  
13 certain classroom teachers from receiving the salary increase for any education level  
14 above A.B. plus 15 unless certain in-field master's degree related requirements have been  
15 satisfied.

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

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

##### **§18A-4-1. Definitions.**

1 (a) For the purpose of this article: salaries shall be defined as: (a) "Basic salaries" which  
2 shall mean the salaries paid to teachers with zero years of experience and in accordance with the  
3 classification of certification and of training of said teachers; and (b) "advanced salaries" which  
4 shall mean the basic salary plus an experience increment based on the allowable years of  
5 experience of the respective teachers in accordance with the schedule established herein for the  
6 applicable classification of certification and of training of said teachers are defined as:

7 (1) Salaries are defined as:

8 (A) "Advanced salaries" means the basic salary plus an experience increment based on

9 the allowable years of experience of the respective teachers in accordance with the schedule  
10 established herein for the applicable classification of certification and of training of said teachers;  
11 or

12 (B) "Basic salaries" means the salaries paid to teachers with zero years of experience and  
13 in accordance with the classification of certification and training of said teachers.

14 (2) "Classification of certification" means the class or type of certificate issued by the State  
15 Superintendent under the statutory provisions of this chapter.

16 (3) "Classification of training" means the number of collegiate or graduate hours necessary  
17 to meet the requirements stipulated in the definitions set forth in the next paragraph in items  
18 subdivisions (2) through (11), inclusive, subsection (b) of this section.

19 (b) The column heads of the state minimum salary schedule set forth in §18A-4-2 of this  
20 code are defined as follows:

21 (1) "Years of experience" means the number of years the teacher has been employed in  
22 the teaching profession, including active work in educational positions other than the public  
23 schools, and service in the armed forces of the United States if the teacher was under contract to  
24 teach at the time of induction. For a registered professional nurse employed by a county board,  
25 "years of experience" means the number of years the nurse has been employed as a public school  
26 health nurse, including active work in a nursing position related to education, and service in the  
27 armed forces if the nurse was under contract with the county board at the time of induction. For  
28 the purpose of §18A-4-2 of this code, the experience of a teacher or a nurse shall be limited to  
29 that allowed under their training classification as found in the minimum salary schedule.

30 (2) "Fourth class" means all certificates previously identified as:

31 (a) (A) "Certificates secured by examination"; and

32 (b) (B) ~~other~~ Other first grade certificates".

33 (3) "Third class" means all certificates previously identified as:

34 (a) (A) "Standard normal certificates"; and

35 (b) ~~(B)~~ Third class temporary (64 semester hours) certificates”.

36 (4) “Second class” means all certificates previously identified as “second class temporary  
37 certificates based upon the required 96 hours of college work”.

38 (5) “A.B.” means a bachelor’s degree, from an accredited institution of higher education,  
39 which has been issued to, or for which the requirements for such have been met by, a person  
40 who qualifies for or holds a professional certificate or its equivalent. A registered professional  
41 nurse with a bachelor’s degree, who is licensed by the West Virginia Board of Examiners for  
42 Registered Professional Nurses and employed by a county board, shall be within this  
43 classification for payment in accordance with §18A-4-2 and §18A-4-2a of this code.

44 (6) “A.B. plus 15” means a bachelor’s degree as defined above plus 15 hours of graduate  
45 work, from an accredited institution of higher education certified to do graduate work, in an  
46 approved planned program at the graduate level which requirements have been met by a person  
47 who qualifies for or holds a professional certificate or its equivalent.

48 (7) “M.A.” means a master’s degree, earned in an institution of higher education approved  
49 to do graduate work, which has been issued to, or the requirements for such have been met by,  
50 a person who qualifies for or holds a professional certificate or its equivalent: Provided, That  
51 effective July 1, 2023, classroom teachers receiving a master’s degree on or after that date cannot  
52 qualify for “M.A.” and may only qualify for an in-field master’s degree.

53 (8) “M.A. plus 15” means the above-defined master’s degree plus 15 hours of graduate  
54 work, earned in an institution of higher education approved to do graduate work, if the person is  
55 qualified for or holds a professional certificate or its equivalent.

56 (9) “M.A. plus 30” means the above-defined master’s degree plus 30 graduate hours,  
57 earned in an institution approved to do graduate work, if the person is qualified for or holds a  
58 professional certificate or its equivalent.

59 (10) “M.A. plus 45” means the above-defined master’s degree plus 45 graduate hours,  
60 earned in an institution approved to do graduate work, if the person is qualified for or holds a

61 professional certificate or its equivalent.

62 (10) (11) "Doctorate" means a doctor's degree, earned from a university qualified and  
63 approved to confer such a degree, which has been issued to or the requirements for such have  
64 been met by a person who qualifies for or holds a professional certificate or its equivalent.

65 (12) "In-field master's degree" means the master's degree as defined in this section,  
66 consisting of one of the following:

67 (A) Thirty credit hours of post baccalaureate graduate credit confined to the specialization  
68 completed at the undergraduate level as set forth on the classroom teacher's professional  
69 certificate or its equivalent and in the field the teacher is teaching; or

70 (B) Thirty credit hours of post baccalaureate graduate credit in an area, approved by the  
71 state board, that enhances a classroom teacher's effectiveness and ability to deliver instruction  
72 or meet daily student needs.

73 (c) For purposes of advanced salary classification, graduate work completed after July 1,  
74 1994, shall be related to the public school program, as prescribed by the state board.

75 (d) Notwithstanding the requirements set forth in subdivisions ~~(6), (8) and (9)~~ (6), (7), (8),  
76 (9), and (10), subsection b of this section relating to hours of graduate work at an institution  
77 certified to do such work, 15 undergraduate credit hours from a regionally accredited institution of  
78 higher education, earned after the effective date of this section, may be utilized for advanced  
79 salary classification if such hours are in accordance with:

80 (a) (1) The teacher's current classification of certification and of training;

81 (b) (2) A designated instructional shortage area documented by the employing county  
82 superintendent; or

83 (c) (3) An identified teaching deficiency documented through the state-approved county  
84 personnel evaluation system.

85 Effective July 1, 1994, the following definition shall be applicable.

86 (11) "M.A. plus 45" means the above-defined master's degree plus forty-five graduate

87 hours, earned in an institution approved to do graduate work, if the person is qualified for or holds  
88 a professional certificate or its equivalent

89 (e) Starting July 1, 2023, the salary increase for holding an in-field master's degree is  
90 contingent upon a classroom teacher's assignment. The state board shall promulgate rules for  
91 the administration and implementation of the in-field master's salary as set forth in §18A-4-2(f) of  
92 this code and shall be consistent with the following:

93 (1) Classroom teachers holding an in-field master's degree who are assigned to teach, for  
94 at least one half of the total classes assigned, subjects which are consistent with the teachers'  
95 degrees are eligible for an advanced salary based pursuant to §18A-4-2(f) of this code. A teacher  
96 meeting one of the following criteria may petition the county superintendent of the county in which  
97 they teach for a salary increase notwithstanding not meeting the instruction requirements:

98 (A) If a school's scheduling constraints prevent the teacher from being assigned to teach  
99 subjects consistent with the teacher's degrees for at least one half of the total classes assigned  
100 to teach;

101 (B) If the teacher was teaching subjects consistent with the teacher's degree and was  
102 voluntarily reassigned to assist the school or county in meeting a critical staffing need; or

103 (C) If the teacher was teaching subjects consistent with the teacher's degree but is no  
104 longer due to a reduction in force.

105 (2) A county superintendent shall review all petitions submitted for a salary increase  
106 notwithstanding not meeting the instructional requirements to verify that the appropriate  
107 circumstances exist that would entitle the teacher to a salary increase under this subsection. After  
108 review, the county superintendent shall submit the petition to the State Superintendent on behalf  
109 of the teacher and verify, with the appropriate supporting justification, whether or not the salary  
110 increase is warranted notwithstanding the teacher not meeting the instructional requirements.  
111 After review, the State Superintendent shall make a final determination on whether the salary  
112 increase is to be granted. Petitions submitted pursuant to this provision are valid for the school

113 year in which they were submitted.

114 (3) The requirement to hold an in-field master's degree as a condition of receiving a salary  
 115 increase for any education level above A.B. plus 15 pursuant to §18-4-2 of this code only applies  
 116 to classroom teachers who receive a master's degree on or after July 1, 2023.

117 (f) The Higher Education Policy Commission in consultation with the State Superintendent  
 118 of Schools, by August 31, 2022 shall develop a plan to provide readily accessible "M.A."  
 119 classification programs at West Virginia institutions of higher education for professional educators  
 120 throughout the state. The objective is to provide coursework enabling professional educators to  
 121 achieve efficiently a qualifying "M.A." degree classification in their teaching field or a specialized  
 122 pedagogical degree designed to directly enhance the educator's classroom and online  
 123 instructional skills. The Higher Education Policy Commission shall submit this plan to the  
 124 Legislative Oversight Commission on Education Accountability. Further, the commission shall  
 125 propose a legislative rule for legislative approval pursuant to §29A-3A-1 et seq. of this code by  
 126 August 31, 2023, outlining the process for the state's public, master's degree granting institutions  
 127 to offer a fully online, collaborative graduate program for educators that provides academic  
 128 coursework including pedagogy, curriculum and instructional design, and behavioral health areas  
 129 of focus.

**§18A-4-2. State minimum salaries for teachers.**

1 (a) It is the goal of the Legislature to increase the state minimum salary for teachers with  
 2 zero years of experience and an A.B. degree, including the supplement, to at least \$43,000 by  
 3 fiscal year 2019.

4 ~~(b) For school year 2018–2019, and continuing thereafter, each teacher shall receive the~~  
 5 ~~amount prescribed in the State Minimum Salary Schedule I as set forth in this section; specific~~  
 6 ~~additional amounts prescribed in this section or article; and any county supplement in effect in a~~  
 7 ~~county pursuant to §18A-4-5a of this code during the contract year: *Provided*, That for the school~~  
 8 year 2019-2020, and continuing thereafter, each teacher shall receive the amount prescribed in

9 the State Minimum Salary Schedule H I as set forth in this section, subject to subsection (f) of this  
 10 section, specific additional amounts prescribed in this section or article, and any county  
 11 supplement in effect in a county pursuant to §18A-4-5a of this code during the contract year.

STATE MINIMUM SALARY SCHEDULE I

Years Exp	4 <sup>th</sup> Class	3 <sup>rd</sup> Class	2 <sup>nd</sup> Class	A.B. +15	A.B. +15	M.A. +15	M.A. +15	M.A. +30	M.A. +45	Dec- terate
0	29,937	30,626	30,892	32,335	33,096	34,863	35,624	36,385	37,146	38,181
1	30,265	30,954	31,220	32,853	33,614	35,382	36,143	36,903	37,664	38,699
2	30,594	31,282	31,548	33,372	34,133	35,900	36,661	37,422	38,183	39,218
3	30,922	31,610	31,876	33,891	34,651	36,419	37,180	37,940	38,701	39,736
4	31,494	32,182	32,448	34,653	35,414	37,182	37,943	38,703	39,464	40,499
5	31,822	32,510	32,776	35,172	35,933	37,700	38,461	39,222	39,983	41,018
6	32,150	32,838	33,104	35,690	36,451	38,219	38,980	39,740	40,501	41,536
7	32,478	33,167	33,432	36,209	36,970	38,737	39,498	40,259	41,020	42,055
8	32,806	33,495	33,761	36,727	37,488	39,256	40,017	40,777	41,538	42,573
9	33,134	33,823	34,089	37,246	38,007	39,774	40,535	41,296	42,057	43,092
10	33,463	34,151	34,417	37,766	38,526	40,294	41,055	41,816	42,576	43,611
11	33,791	34,479	34,745	38,284	39,045	40,813	41,573	42,334	43,095	44,130
12	34,119	34,807	35,073	38,803	39,563	41,331	42,092	42,853	43,613	44,648
13	34,447	35,135	35,401	39,321	40,082	41,850	42,610	43,371	44,132	45,167
14	34,775	35,463	35,729	39,840	40,600	42,368	43,129	43,890	44,650	45,685
15	35,103	35,791	36,057	40,358	41,119	42,887	43,647	44,408	45,169	46,204
16	35,431	36,119	36,385	40,877	41,637	43,405	44,166	44,927	45,687	46,722

17	35,759	36,448	36,713	41,395	42,156	43,924	44,685	45,445	46,206	47,241
18	36,087	36,776	37,042	41,914	42,675	44,442	45,203	45,964	46,725	47,760
19	36,415	37,104	37,370	42,432	43,193	44,961	45,722	46,482	47,243	48,278
20	36,743	37,432	37,698	42,951	43,712	45,479	46,240	47,001	47,762	48,797
21	37,072	37,760	38,026	43,469	44,230	45,998	46,759	47,519	48,280	49,315
22	37,400	38,088	38,354	43,988	44,749	46,516	47,277	48,038	48,799	49,834
23	37,728	38,416	38,682	44,507	45,267	47,035	47,796	48,556	49,317	50,352
24	38,056	38,744	39,010	45,025	45,786	47,554	48,314	49,075	49,836	50,871
25	38,384	39,072	39,338	45,544	46,304	48,072	48,833	49,594	50,354	51,389
26	38,712	39,400	39,666	46,062	46,823	48,591	49,351	50,112	50,873	51,908
27	39,040	39,728	39,994	46,581	47,341	49,109	49,870	50,631	51,391	52,426
28	39,368	40,057	40,322	47,099	47,860	49,628	50,388	51,149	51,910	52,945
29	39,696	40,385	40,651	47,618	48,378	50,146	50,907	51,668	52,428	53,463
30	40,024	40,713	40,979	48,136	48,897	50,665	51,425	52,186	52,947	53,982
31	40,353	41,041	41,307	48,655	49,416	51,183	51,944	52,705	53,465	54,500
32	40,681	41,369	41,635	49,173	49,934	51,702	52,463	53,223	53,984	55,019
33	41,009	41,697	41,963	49,692	50,453	52,220	52,981	53,742	54,503	55,538
34	41,337	42,025	42,291	50,210	50,971	52,739	53,500	54,260	55,021	56,056
35	41,665	42,353	42,619	50,729	51,490	53,257	54,018	54,779	55,540	56,575

STATE MINIMUM SALARY SCHEDULE II

Years	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	A.B.	A.B.	M.A.	M.A.	M.A.	M.A.	Doc-
Exp.	Class	Class	Class		+15		+15	+30	+45	torate
0	32,057	32,746	33,012	34,455	35,216	36,983	37,744	38,505	39,266	40,301
1	32,385	33,074	33,340	34,973	35,734	37,502	38,263	39,023	39,784	40,819

2	32,714	33,402	33,668	35,492	36,253	38,020	38,781	39,542	40,303	41,338
3	33,042	33,730	33,996	36,011	36,771	38,539	39,300	40,060	40,821	41,856
4	33,614	34,302	34,568	36,773	37,534	39,302	40,063	40,823	41,584	42,619
5	33,942	34,630	34,896	37,292	38,053	39,820	40,581	41,342	42,103	43,138
6	34,270	34,958	35,224	37,810	38,571	40,339	41,100	41,860	42,621	43,656
7	34,598	35,287	35,552	38,329	39,090	40,857	41,618	42,379	43,140	44,175
8	34,926	35,615	35,881	38,847	39,608	41,376	42,137	42,897	43,658	44,693
9	35,254	35,943	36,209	39,366	40,127	41,894	42,655	43,416	44,177	45,212
10	35,583	36,271	36,537	39,886	40,646	42,414	43,175	43,936	44,696	45,731
11	35,911	36,599	36,865	40,404	41,165	42,933	43,693	44,454	45,215	46,250
12	36,239	36,927	37,193	40,923	41,683	43,451	44,212	44,973	45,733	46,768
13	36,567	37,255	37,521	41,441	42,202	43,970	44,730	45,491	46,252	47,287
14	36,895	37,583	37,849	41,960	42,720	44,488	45,249	46,010	46,770	47,805
15	37,223	37,911	38,177	42,478	43,239	45,007	45,767	46,528	47,289	48,324
16	37,551	38,239	38,505	42,997	43,757	45,525	46,286	47,047	47,807	48,842
17	37,879	38,568	38,833	43,515	44,276	46,044	46,805	47,565	48,326	49,361
18	38,207	38,896	39,162	44,034	44,795	46,562	47,323	48,084	48,845	49,880
19	38,535	39,224	39,490	44,552	45,313	47,081	47,842	48,602	49,363	50,398
20	38,863	39,552	39,818	45,071	45,832	47,599	48,360	49,121	49,882	50,917
21	39,192	39,880	40,146	45,589	46,350	48,118	48,879	49,639	50,400	51,435
22	39,520	40,208	40,474	46,108	46,869	48,636	49,397	50,158	50,919	51,954
23	39,848	40,536	40,802	46,627	47,387	49,155	49,916	50,676	51,437	52,472
24	40,176	40,864	41,130	47,145	47,906	49,674	50,434	51,195	51,956	52,991
25	40,504	41,192	41,458	47,664	48,424	50,192	50,953	51,714	52,474	53,509
26	40,832	41,520	41,786	48,182	48,943	50,711	51,471	52,232	52,993	54,028

27	41,160	41,848	42,114	48,701	49,461	51,229	51,990	52,751	53,511	54,546
28	41,488	42,177	42,442	49,219	49,980	51,748	52,508	53,269	54,030	55,065
29	41,816	42,505	42,771	49,738	50,498	52,266	53,027	53,788	54,548	55,583
30	42,144	42,833	43,099	50,256	51,017	52,785	53,545	54,306	55,067	56,102
31	42,473	43,161	43,427	50,775	51,536	53,303	54,064	54,825	55,585	56,620
32	42,801	43,489	43,755	51,293	52,054	53,822	54,583	55,343	56,104	57,139
33	43,129	43,817	44,083	51,812	52,573	54,340	55,101	55,862	56,623	57,658
34	43,457	44,145	44,411	52,330	53,091	54,859	55,620	56,380	57,141	58,176
35	43,785	44,473	44,739	52,849	53,610	55,377	56,138	56,899	57,660	58,695

12 (c) Six hundred dollars shall be paid annually to each classroom teacher who has at least  
 13 20 years of teaching experience. The payments: (i) Shall be in addition to any amounts prescribed  
 14 in the applicable State Minimum Salary Schedule; (ii) shall be paid in equal monthly installments;  
 15 and (iii) shall be considered a part of the state minimum salaries for teachers.

16 (d) Effective July 1, 2019, each classroom teacher providing math instruction in the  
 17 teacher’s certified area of study for at least 60 percent of the time the teacher is providing  
 18 instruction to students shall be considered to have three additional years of experience only for  
 19 the purposes of the salary schedule set forth in subsection (b) of this section: *Provided*, That for  
 20 any classroom teacher who satisfies these requirements and whose years of experience plus the  
 21 three additional years due to them exceeds the years of experience provided for on the salary  
 22 schedule shall be paid the additional amount equivalent to three additional years of experience  
 23 notwithstanding the maximum experience provided on the salary schedule.

24 (e) Effective July 1, 2019, each classroom teacher certified in special education and  
 25 employed as a full-time special education teacher, as defined by the State Superintendent, shall  
 26 be considered to have three additional years of experience only for the purposes of the salary  
 27 schedule set forth in subsection (b) of this section: *Provided*, That for any classroom teacher who  
 28 satisfies these requirements and whose years of experience plus the three additional years due

29 to them exceeds the years of experience provided for on the salary schedule shall be paid the  
30 additional amount equivalent to three additional years of experience notwithstanding the  
31 maximum experience provided on the salary schedule.

32 (f) Notwithstanding any other provision of this section to the contrary, starting July 1, 2023,  
33 no classroom teacher receiving a master's degree on or after that date may receive the salary  
34 increase for any education level above A.B. plus 15 unless the requirements for an in-field  
35 master's degree as outlined in §18A-4-1 of this code have been satisfied.

36 ~~(f)~~ (g) In accordance with §18A-4-5 of this code, each teacher shall be paid the supplement  
37 amount as applicable for his or her classification of certification or classification of training and  
38 years of experience as follows, subject to the provisions of that section:

39 (1) For "4th Class" at zero years of experience, \$1,781. An additional \$38 shall be paid for  
40 each year of experience up to and including 35 years of experience;

41 (2) For "3rd Class" at zero years of experience, \$1,796. An additional \$67 shall be paid for  
42 each year of experience up to and including 35 years of experience;

43 (3) For "2nd Class" at zero years of experience, \$1,877. An additional \$69 shall be paid  
44 for each year of experience up to and including 35 years of experience;

45 (4) For "A.B." at zero years of experience, \$2,360. An additional \$69 shall be paid for each  
46 year of experience up to and including 35 years of experience;

47 (5) For "A.B. + 15" at zero years of experience, \$2,452. An additional \$69 shall be paid for  
48 each year of experience up to and including 35 years of experience;

49 (6) For "M.A." at zero years of experience, \$2,644. An additional \$69 shall be paid for each  
50 year of experience up to and including 35 years of experience;

51 (7) For "M.A. + 15" at zero years of experience, \$2,740. An additional \$69 shall be paid  
52 for each year of experience up to and including 35 years of experience;

53 (8) For "M.A. + 30" at zero years of experience, \$2,836. An additional \$69 shall be paid  
54 for each year of experience up to and including 35 years of experience;

55 (9) For “M.A. + 45” at zero years of experience, \$2,836. An additional \$69 shall be paid  
56 for each year of experience up to and including 35 years of experience; and

57 (10) For “Doctorate” at zero years of experience, \$2,927. An additional \$69 shall be paid  
58 for each year of experience up to and including 35 years of experience.

59 These payments: (i) Shall be in addition to any amounts prescribed in the applicable State  
60 Minimum Salary Schedule, any specific additional amounts prescribed in this section and article  
61 and any county supplement in effect in a county pursuant to §18A-4-5a of this code; (ii) shall be  
62 paid in equal monthly installments; and (iii) shall be considered a part of the state minimum  
63 salaries for teachers.

NOTE: The purpose of this bill is to add a definition for “in-field master’s degree”; revise the definition of “M.A.”; and provide salary increase for holding an in-field master’s degree.

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