

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4902**

By Delegates E. Pritt, W. Clark, Chiarelli, Ross,

Toney, and Statler

[Introduced January 18, 2024; Referred  
to the Committee on Education then Finance]

1 A BILL to amend and reenact §18A-2-2b of the Code of West Virginia, 1931, as amended; and to  
2 amend said code by adding thereto a new section, designated §18A-4-5c of said code,  
3 relating to matching the salaries of Aide V (Special Education Aides) with that of Early  
4 Childhood Classroom Assistant Teachers and then increasing that amount by 5% for the  
5 Aide V position; increasing the pay of self-contained, special education teachers by 10%;  
6 defining a critical vacancy; and to require board staff who are certified in the subject area of  
7 a critical vacancy to go to the classroom and fill that position until someone is hired to do  
8 so.

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

## **ARTICLE 2. SCHOOL PERSONNEL.**

### **§18A-2-2b. Employment of prospective teachers and other professional personnel for next ensuing school year; and payment of financial incentive for recruitment.**

1 (a) Notwithstanding any other provision of this code to the contrary, the county  
2 superintendent, subject to approval of the county board, may employ prospective teachers and  
3 other professional personnel each year who will be placed in positions and begin regular  
4 employment in the next ensuing school year. The intent of this section is to enable school systems  
5 to recruit and employ prospective teachers and other professional personnel during the prime  
6 recruiting season for new graduates in positions in which the county board has a critical need. The  
7 employment of prospective teachers and other professional personnel is subject to the following:

8 (1) The county board adopts a policy authorizing the employment of prospective teachers  
9 and other professional personnel to address areas of critical need;

10 (2) The county board posts a notice of the critical need positions in the county in which the  
11 county intends to employ the prospective teachers and other professional personnel. The notice is  
12 posted in a conspicuous place in each school or on the county board website for at least ten  
13 working days prior to making offers of employment to prospective teachers and other professional  
14 personnel;

15           (3) No qualified applicants currently employed by the county are available and willing to fill  
16 the critical need position in the next ensuing school year;

17           (4) The prospective teachers and other professional personnel may only be employed from  
18 candidates who will graduate or have graduated from an institution of higher education during the  
19 current school year and will commence employment in the next ensuing school year;

20           (5) When necessary to facilitate the employment of prospective teachers and other  
21 professional personnel who have not yet attained certification, the contract may be signed upon  
22 the condition that the certificate is issued to the employee prior to the beginning of the employment  
23 term in which the employee enters upon his or her duties;

24           (6) The number of prospective teachers and other professional personnel employed is  
25 limited to the number required to fill the critical need positions posted in accordance with  
26 subdivision (2) of this subsection;

27           (7) For the purpose of recruiting teachers and other professional personnel in critical needs  
28 areas and to attract teachers and other professional personnel in a critical need areas, the county  
29 board may from local funds pay prospective teachers and other professional personnel a one-time  
30 financial incentive such as, but not limited to, a signing bonus or moving expenses, after a contract  
31 of employment has been signed;

32           (8) The prospective teachers and other professional personnel are initially employed on a  
33 reserve list at the county level and placed into a school-specific critical need position if the job has  
34 been posted at least once resulting in no qualified applicants; and

35           (9) Regular employment status for prospective teachers and other professional personnel  
36 may be obtained only upon recommendation by the superintendent and approval by the county  
37 board following consideration of the qualifications of the candidate in accordance with the  
38 applicable provisions of §18A-4-7a of this code;

39           (b) Nothing in this section prevents a county board from filling a posted vacancy in an  
40 established, existing or newly created position at any time in accordance with the other provisions

41 of this chapter.

42 (c) For the purposes of this section, a "critical vacancy" shall be defined as "a position that  
43 the institution must fill in order to maintain student success, safety, and to successfully meet  
44 required compliance and certification standards."

45 (d) Where there is a "critical vacancy," as it is defined in this section, board staff who are  
46 certified in the subject area of a critical vacancy shall be required to go to the classroom and fill that  
47 position until someone is hired to do so.

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

**§18A-4-5c. Pay Increases for Special Education Aides (Aide V) and Special Education**

**teachers in self-contained classrooms.**

1 (a) All personnel classified as "Aide V (Special Education Aide) shall be paid at the same  
2 grade as those personnel classified as "Early Childhood Classroom Assistant Teachers". In  
3 addition to the aforementioned salary matching, personnel classified as "Aide V (Special  
4 Education Aide" shall receive an additional 5% raise to this salary grade.

5 (b) All Special Education Teachers in self-contained classrooms shall receive a 10% pay  
6 increase to their salaries in addition to the current grade.

NOTE: The purpose of this bill is to match the salaries of Aide V (Special Education Aides) with that of Early Childhood Classroom Assistant Teachers and then increasing that amount by 5% for the Aide V position; increase the pay of self-contained, special education teachers by 10%; define a critical vacancy; and to require board staff who are certified in the subject area of a critical vacancy to go to the classroom and fill that position until someone is hired to do so.

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