WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3223

By Delegate Dillon

[Introduced February 02, 2023; Referred to the Committee on Education then Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-20-12, relating to clarifying the special education student to instructor ratio; providing for a waiver; and providing for compensation to the special education teacher should he or she sign the waiver to exceed the limit of students.

Be it enacted by the Legislature of West Virginia:

ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.

§18-20-12. Special education student to instructor ratio; waiver; compensation to teacher when ratio exceeded.

(a) Self-contained and resource classrooms, as well as any special education environment, shall not have a student/instructor ratio over the current limit provided for in §18-5-18a of this code. A waiver may be signed by an instructor should the instructor wish to exceed the limit.

(b) The county shall not submit a waiver to exceed the current limit of students set forth in §18-5-18a of this code without the written consent of the special education instructor. If the instructor chooses to sign the waiver to exceed the limit, that instructor shall be entitled to the full amount of compensation as provided per county.

NOTE: The purpose of this bill is to provide for a special education student to instructor ratio. The bill provides for a waiver, and if an instructor signs the waiver, for the instructor to receive the full amount of the compensation provided for by the county.

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