

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §18-20-12, relating to clarifying the special education student to instructor
 3 ratio; providing for a waiver; and providing for compensation to the special education
 4 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.

1 (a) Self-contained and resource classrooms, as well as any special education
 2 environment, shall not have a student/instructor ratio over the current limit provided for in §18-5-
 3 18a of this code. A waiver may be signed by an instructor should the instructor wish to exceed the
 4 limit.

5 (b) The county shall not submit a waiver to exceed the current limit of students set forth in
 6 §18-5-18a of this code without the written consent of the special education instructor. If the
 7 instructor chooses to sign the waiver to exceed the limit, that instructor shall be entitled to the full
 8 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.