

APPROVED AND SIGNED BY THE GOVERNOR

Date 5-19-81

WEST VIRGINIA LEGISLATURE

FIRST EXTRAORDINARY SESSION, 1981

ENROLLED

SENATE BILL NO. 15

*Originating in the
Committee on Finance*

PASSED May 11, 1981

In Effect July 1, 1981

ENROLLED
Senate Bill No. 15

(Originating in the Committee on Finance)

[Passed May 11, 1981; in effect July 1, 1981.]

AN ACT to repeal section four, article two, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to repeal section two-a, article four of said chapter eighteen-a; to amend and reenact section one, article one of said chapter eighteen-a; to amend and reenact sections five and six, article two of said chapter; to amend and reenact sections two, three, seven, eight and eight-a, article four of said chapter; to amend and reenact section four-a, article five of said chapter; to amend article nine-a, chapter eighteen by adding thereto two new sections, designated sections twenty-one and twenty-two; and to amend and reenact sections two, three, four, five, six, seven, eight, nine, ten, eleven, thirteen and fourteen, article nine-a, chapter eighteen of said code, all relating to adding and revising definitions, increasing salaries of professional educators, to combining the present two allocations for teachers' salaries into one; providing for substitute teachers' pay; to using the combined salary schedule in the allocation of funds for the basic foundation program; to increase the salaries of service personnel and to include all eligible basic salaries of service personnel in state aid computations to a maximum of thirty-four for each one thousand pupils in adjusted enrollment; to increase the allocation factors for fixed charges and transportation; to reduce the percentage factor in the allocation for other current expense; to revise the method of allocating moneys equalling the increases in local share to one concentrating on aiding counties having the lower average

expenditures per pupil; to assure for five years that increases in salaries for personnel are matched by increased state aid, and to aid counties having ratios of enrollment to service personnel which are higher than the state average, to provide for computation of local share, appraisal and assessment of property; to provide statewide facilities planning; and to require standards for educational quality and approval of county education programs.

Be it enacted by the Legislature of West Virginia:

That section four, article two, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that section two-a, article four of said chapter eighteen-a be repealed; that section one, article one of said chapter eighteen-a be amended and reenacted; that sections five and six, article two of said chapter eighteen-a be amended and reenacted; that sections two, three, seven, eight and eight-a, article four of said chapter eighteen-a be amended and reenacted; that section four-a, article five of said chapter eighteen-a be amended and reenacted; that article nine-a, chapter eighteen of said code be amended by adding thereto two new sections, designated sections twenty-one and twenty-two; and that sections two, three, four, five, six, seven, eight, nine, ten, eleven, thirteen and fourteen, article nine-a, chapter eighteen of said code be amended and reenacted, all to read as follows:

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 1. GENERAL PROVISIONS.

§18A-1-1. Definitions.

1 The definitions contained in section one, article one of
2 chapter eighteen shall be applicable to this chapter. In
3 addition, the following words used in this chapter and in any
4 proceedings pursuant thereto shall, unless the context clearly
5 indicates a different meaning, be construed as follows:

6 (a) "School personnel" shall mean all personnel employed
7 by a county board of education whether employed on a
8 regular full-time basis, an hourly basis or otherwise. School
9 personnel shall be comprised of two categories: professional
10 personnel and service personnel.

11 (b) "Professional personnel" shall mean persons who
12 meet the certification and/or licensing requirements of the
13 state, and shall include the professional educator and other
14 professional employees.

15 (c) "Professional educator" shall be synonymous with and
16 shall have the same meaning as "teacher" as defined in
17 section one, article one, chapter eighteen of this code.
18 Professional educators shall be classified as:

19 (1) "Classroom teacher": The professional educator who
20 has direct instructional or counseling relationship with
21 pupils, spending the majority of his time in this capacity.

22 (2) "Principal": The professional educator who as agent of
23 the board has responsibility for the supervision, management
24 and control of a school or schools within the guidelines
25 established by said board. The major area of such
26 responsibility shall be the general supervision of all the
27 school and all school activities involving pupils, teachers and
28 other school personnel.

29 (3) "Supervisor": The professional educator who, whether
30 by this or other appropriate title, is responsible for working
31 primarily in the field with professional and/or other personnel
32 in instructional and other school improvement.

See 33 (4) "Central officer administrator": The superintendent,
34 associate superintendent, assistant superintendent, and
35 other professional educators, whether by these or other
36 appropriate titles, who are charged with the administering
37 and supervising of the whole or some assigned part of the
38 total program of the county-wide school system.

39 (d) "Other professional employee" shall mean that person
40 from another profession who is properly licensed and is
41 employed to serve the public schools and shall include a
42 registered professional nurse, licensed by the West Virginia
43 board of examiners for registered professional nurses and
44 employed by a county board of education, who has
45 completed either a two-year (sixty-four semester hours) or a
46 three-year (ninety-six semester hours) nursing program.

47 (e) "Service personnel" shall mean those who serve the
48 school or schools as a whole, in a nonprofessional capacity,
49 including such areas as secretarial, custodial, maintenance,
50 transportation, school lunch, and as aides.

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-5. Employment of service personnel.

1 The board is authorized to employ such service personnel
2 as is deemed necessary for meeting the needs of the county
3 school system. Before entering upon their duties such per-
4 sonnel shall execute with the board a written contract which

5 may be in letter form and shall state the classification and
6 terms of work, the employment period and pay, and shall
7 certify that said employment has been made a matter of mi-
8 nute record. The letter shall provide space for an acceptance
9 provision and shall be signed and returned to the board by
10 the employee, or otherwise he shall forfeit his right to
11 employment.

12 Under such regulation and policy as may be established by
13 the county board, service personnel selected and trained for
14 teacher-aide classifications, such as monitor aide, clerical
15 aide, classroom aide and general aide, shall work under the
16 direction of the principal and teachers to whom assigned.

§18A-2-6. Termination of employment of service personnel.

1 After three years of acceptable employment, each service
2 personnel who enters into a new contract of employment
3 with the board shall be granted continuing contract status.
4 The continuing contract of any such employee shall remain in
5 full force and effect except as modified by mutual consent of
6 the school board and the employee, unless and until termi-
7 nated with written notice, stating cause or causes, to the
8 employee, by a majority vote of the full membership of the
9 board before the first day of April of the then current year, or
10 by written resignation of the employee before that date. The
11 affected employee shall have the right of a hearing before the
12 board, if requested, before final action is taken by the board
13 upon the termination of such employment.

14 Those employees who have completed three years of ac-
15 ceptable employment as of the effective date of this legisla-
16 tion shall be granted continuing contract status.

1 On and after the first day of July, one thousand nine
2 hundred eighty-one, each teacher shall receive the amount
3 prescribed in the "state minimum salary schedule" as set
4 forth in this section, specific additional amounts prescribed
5 in this article, and any county supplement in effect in a
6 county during the contract year.

§18A-4-3. Salary increments for principals.

1 In addition to the present recommended salary schedules
2 in each county for principals, the following schedule of
3 monthly salary increments for principals shall be paid from
4 state funds appropriated therefor, beginning with the fiscal
5 year commencing on the first day of July, one thousand nine
6 hundred eighty-one.

No. of Teachers	Bachelor's Degree or Lesser Certification	Master's Degree	Principal's Certificate
2	7.25	7.50	13.25
3	9.50	10.25	15.50
4	11.50	13.25	18.25
5	14.25	16.25	21.75
6	17.50	19.25	24.75
7	19.50	22.00	27.50
8	22.00	24.75	29.75
9	24.25	27.50	33.00
10	26.75	29.75	35.75
11	28.75	33.00	38.50
12	31.00	35.75	41.00
13	32.75	38.50	43.50
14	35.00	41.00	46.75
15	36.50	43.50	49.50
16	37.25	44.75	50.25
17	38.00	45.50	51.00
18	38.75	46.50	51.50
19	39.50	47.00	52.50
20 or more	40.50	47.50	53.25

§18A-4-7. Substitute teachers pay.

1 The pay of a substitute teacher shall not be less than
2 eighty-five percent of the daily rate of the state basic salary
3 paid to teachers: *Provided*, That any substitute teacher who
4 teaches in excess of five consecutive instructional days in the

5 same position shall, thereafter, not be paid less than
6 eighty-five percent of the daily rate of the state advanced
7 salary to which his teaching experience entitles him:
8 *Provided, however,* That any substitute teacher who teaches
9 in excess of thirty days in the same position shall be paid the
10 daily rate of the advanced salary, within his county, to which
11 his teaching experience entitles him, retroactive to the sixth
12 day of employment.

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

1 The purpose of this section is to establish an employment
2 term and class titles for service personnel. The employment
3 term for service personnel shall be no less than ten months, a
4 month being defined as twenty employment days: *Provided,*
5 That the county board of education may contract with all or
6 part of these personnel for a longer term. The beginning and
7 closing dates of the ten-month term shall not exceed
8 forty-three weeks. Service personnel employed on a yearly or
9 twelve-month basis may be employed by calendar months.
10 Whenever there is a change in job assignment during the
11 school year, the minimum pay scale and any county
12 supplement shall be applicable.

13 Service personnel employed in the same classification for
14 more than the two hundred day minimum employment term
15 shall be paid for additional employment at a daily rate of not
16 less than the daily rate paid for the two hundred day
17 minimum employment term.

18 No service employee, without his agreement, shall be
19 required to report for work more than five days per week and
20 no part of any working day may be accumulated by the
21 employer for future work assignments, unless the employee
22 agrees thereto.

23 Custodians required to work a daily work schedule that is
24 interrupted, that is, who do not work a continuous period in
25 one day, shall be paid additional compensation which shall be
26 equal to at least one eighth of their total salary as provided by
27 their state minimum salary and any county pay supplement,
28 and payable entirely from county funds.

29 Upon the change in classification or upon meeting the
30 requirements of an advanced classification of or by any
31 employee, his salary shall be made to comply with the
32 requirements of this article, and to any county salary

33 schedule in excess of the minimum requirements of this
34 article, based upon his advanced classification and allowable
35 years of employment.

36 An employee's contract as provided in sections four and
37 five, article two of this chapter shall state the appropriate
38 monthly salary the employee is to be paid based on the class
39 title as provided in this article and any county salary schedule
40 in excess of the minimum requirements of this article.

41 The column heads of the state minimum pay scale and class
42 titles, set forth in section eight-a of this article, are defined as
43 follows:

44 "Pay grade" means the monthly salary applicable to class
45 titles of service personnel.

46 "Years of employment" means the number of years which
47 an employee classified as service personnel has been
48 employed by a board of education in any position prior to or
49 subsequent to the effective date of this section and including
50 service in the armed forces of the United States if the
51 employee were employed at the time of his induction. For the
52 purpose of section eight-a of this article, years of employment
53 shall be limited to the number of years shown and allowed
54 under the state minimum pay scale as set forth in section
55 eight-a of this article.

56 "Class title" means the name of the position or job held by
57 service personnel.

58 "Accountant I" means personnel employed to maintain
59 payroll records and reports and perform one or more
60 operations relating to a phase of the total payroll.

61 "Accountant II" means personnel employed to maintain
62 accounting records and to be responsible for the accounting
63 process associated with billing, budgets, purchasing and
64 related operations.

65 "Accountant III" means personnel who are employed in the
66 county board of education office to manage and supervise
67 accounts payable and/or payroll procedures.

68 "Aide I" means those personnel selected and trained for
69 teacher-aide classifications such as monitor aide, clerical
70 aide, classroom aide or general aide.

71 "Aide II" means those personnel referred to in the "Aide I"
72 classification who have completed a training program
73 approved by the state board of education, or who hold a high
74 school diploma or have received a general educational
75 development certificate.

76 “Aide III” means those personnel referred to in the “Aide I”
77 classification who hold a high school diploma or a general
78 educational development certificate, and have completed six
79 semester hours of college credit at a higher educational
80 institution.

81 “Audiovisual technician” means personnel employed to
82 perform minor maintenance on audiovisual equipment, films,
83 supplies and the filling of requests for equipment.

84 “Bus operator” means personnel employed to operate
85 school buses and other school transportation vehicles as
86 provided by the state board of education.

87 “Buyer” means personnel employed to review and write
88 specifications, negotiate purchase bids and recommend
89 purchase agreements for materials and services that meet
90 predetermined specifications at the lowest available costs.

91 “Cabinet maker” means personnel employed to construct
92 cabinets, tables, bookcases and other furniture.

93 “Cafeteria manager” means personnel employed to direct
94 the operation of a food services program in a school,
95 including assigning duties to employees, approving
96 requisitions for supplies and repairs, keeping inventories,
97 inspecting areas to maintain high standards of sanitation,
98 preparing financial reports and keeping records pertinent to
99 food services of a school.

100 “Carpenter I” means personnel classified as a carpenter’s
101 helper.

102 “Carpenter II” means personnel classified as a journeyman
103 carpenter.

104 “Chief mechanic” means personnel employed to be
105 responsible for directing activities which ensure that student
106 transportation or other board-owned vehicles are properly
107 and safely maintained.

108 “Clerk I” means personnel employed to perform clerical
109 tasks.

110 “Clerk II” means personnel employed to perform general
111 clerical tasks, prepare reports and tabulations and operate
112 office machines.

113 “Computer operator” means qualified personnel employed
114 to operate computers.

115 “Cook I” means personnel employed as a cook’s helper.

116 “Cook II” means personnel employed to interpret menus,
117 to prepare and serve meals in a food service program of a
118 school and shall include personnel who have been employed

119 as a "Cook I" for a period of four years, if such personnel have
120 not been elevated to this classification within that period of
121 time.

122 "Cook III" means personnel employed to prepare and serve
123 meals, make reports, prepare requisitions for supplies, order
124 equipment and repairs for a food service program of a school
125 system.

126 "Crew leader" means personnel employed to organize the
127 work for a crew of maintenance employees to carry out
128 assigned projects.

129 "Custodian I" means personnel employed to keep
130 buildings clean and free of refuse.

131 "Custodian II" means personnel employed as a watchman
132 or groundsman.

133 "Custodian III" means personnel employed to keep
134 buildings clean and free of refuse, to operate the heating or
135 cooling systems and to make minor repairs.

136 "Custodian IV" means personnel employed as head
137 custodians. In addition to providing services as defined in
138 "Custodian III," their duties may include supervising other
139 custodian personnel.

140 "Director or coordinator of services" means personnel not
141 defined as professional personnel or professional educators
142 in section one, article one of this chapter, who are assigned to
143 direct a department or division.

144 "Draftsman" means personnel employed to plan, design
145 and produce detailed architectural/engineering drawings.

146 "Electrician I" means personnel employed as an apprentice
147 electrician helper or who holds an electrician helper license
148 issued by the state fire marshal.

149 "Electrician II" means personnel employed as an
150 electrician journeyman or who holds a journeyman
151 electrician license issued by the state fire marshal.

152 "Electronic technician I" means personnel employed at the
153 apprentice level to repair and maintain electronic equipment.

154 "Electronic technician II" means personnel employed at
155 the journeyman level to repair and maintain electronic
156 equipment.

157 "Executive secretary" means personnel employed as the
158 county school superintendent's secretary or as a secretary
159 who is assigned to a position characterized by significant
160 administrative duties.

161 “Food services supervisor” means qualified personnel not
162 defined as professional personnel or professional educators
163 as in section one, article one of this chapter, employed to
164 manage and supervise a county school system’s food service
165 program. The duties would include preparing in-service
166 training programs for cooks and food service employees,
167 instructing personnel in the areas of quantity cooking with
168 economy and efficiency, and keeping aggregate records and
169 reports.

170 “Foreman” means skilled persons employed for
171 supervision of personnel who work in the areas of repair and
172 maintenance of school property and equipment.

173 “General maintenance” means personnel employed as
174 helpers to skilled maintenance employees and to perform
175 minor repairs to equipment and buildings of a county school
176 system.

177 “Glazier” means personnel employed to replace glass or
178 other materials in windows and doors and to do minor
179 carpentry tasks.

180 “Graphic artist” means personnel employed to prepare
181 graphic illustrations.

182 “Groundsmen” means personnel employed to perform
183 duties that relate to the appearance, repair and general care of
184 school grounds in a county school system. Additional
185 assignments may include the operation of a small heating
186 plant and routine cleaning duties in buildings.

187 “Handyman” means personnel employed to perform
188 routine manual tasks in any operation of the county school
189 system.

190 “Heating and air conditioning mechanic I” means
191 personnel employed at the apprentice level to install, repair
192 and maintain heating and air conditioning plants and related
193 electrical equipment.

194 “Heating and air conditioning mechanic II” means
195 personnel employed at the journeyman level to install, repair
196 and maintain heating and air conditioning plants and related
197 electrical equipment.

198 “Heavy equipment operator” means personnel employed to
199 operate heavy equipment.

200 “Inventory supervisor” means personnel who are
201 employed to supervise or maintain operations in the receipt,
202 storage, inventory and issuance of materials and supplies.

203 “Key punch operator” means qualified personnel
204 employed to operate key punch machines or verifying
205 machines.

206 “Locksmith” means personnel employed to repair and
207 maintain locks and safes.

208 “Lubrication man” means personnel employed to lubricate
209 and service gasoline or diesel-powered equipment of a county
210 school system.

211 “Machinist” means personnel employed to perform
212 machinist tasks which include the ability to operate a lathe,
213 planer, shaper, threading machine and wheel press. Such
214 personnel should also have ability to work from blueprints
215 and drawings.

216 “Maintenance clerk” means personnel employed to
217 maintain and control a stocking facility to keep adequate
218 tools and supplies on hand for daily withdrawal for all school
219 maintenance crafts.

220 “Mason” means personnel employed to perform tasks
221 connected with brick and block laying and carpentry tasks
222 related to such laying.

223 “Mechanic” means personnel employed who can
224 independently perform skilled duties in the maintenance and
225 repair of automobiles, school buses and other mechanical and
226 mobile equipment to use in a county school system.

227 “Mechanic assistant” means personnel employed as a
228 mechanic apprentice and helper.

229 “Office equipment repairman I” means personnel
230 employed as an office equipment repairman apprentice or
231 helper.

232 “Office equipment repairman II” means personnel
233 responsible for servicing and repairing all office machines
234 and equipment. Personnel shall be responsible for parts
235 being purchased necessary for the proper operation of a
236 program of continuous maintenance and repair.

237 “Painter” means personnel employed to perform duties of
238 painting, finishing and decorating of wood, metal and
239 concrete surfaces of buildings, other structures, equipment,
240 machinery and furnishings of a county school system.

241 “Plumber I” means personnel employed as an apprentice
242 plumber and helper.

243 “Plumber II” means personnel employed as a journeyman
244 plumber.

245 "Printing operator" means personnel employed to operate
246 duplication equipment, and as required, to cut, collate, staple,
247 bind and shelf materials.

248 "Printing supervisor" means personnel employed to
249 supervise the operation of a print shop.

250 "Programmer" means personnel employed to design and
251 prepare programs for computer operation.

252 "Roofing/sheet metal mechanic" means personnel
253 employed to install, repair, fabricate and maintain roofs,
254 gutters, flashing and duct work for heating and ventilation.

255 "Sanitation plant operator" means personnel employed to
256 operate and maintain a water or sewage treatment plant to
257 ensure the safety of the plant's effluent for human
258 consumption or environmental protection.

259 "School bus supervisor" means qualified personnel
260 employed to assist in selecting school bus operators and
261 routing and scheduling of school buses, operate a bus when
262 needed, relay instructions to bus operators, plan emergency
263 routing of buses and promoting good relationships with
264 parents, pupils, bus operators and other employees.

265 "Secretary I" means personnel employed to transcribe
266 from notes or mechanic equipment, receive callers, perform
267 clerical tasks, prepare reports and operate office machines.

268 "Secretary II" means personnel employed in any
269 elementary, secondary, kindergarten, nursery, special
270 education, vocational or any other school as a secretary. The
271 duties may include performing general clerical tasks,
272 transcribing from notes or stenotype or mechanical
273 equipment or a sound-producing machine, preparing reports,
274 receiving callers and referring them to proper persons,
275 operating office machines, keeping records and handling
276 routine correspondence. There is nothing implied herein that
277 would prevent such employees from holding or being
278 elevated to a higher classification.

279 "Secretary III" means personnel assigned to the county
280 board of education office administrators in charge of various
281 instructional, maintenance, transportation, food services,
282 operations and health departments, federal programs or
283 departments with particular responsibilities of purchasing
284 and financial control.

285 "Supervisor of maintenance" means skilled personnel not
286 defined as professional personnel or professional educators
287 as in section one, article one of this chapter. His

288 responsibilities would include directing the upkeep of
289 buildings and shops, issuing instructions to subordinates
290 relating to cleaning, repairs and maintenance of all structures,
291 mechanical and electrical equipment of a board of education.

292 "Supervisor of transportation" means qualified personnel
293 employed to direct school transportation activities, properly
294 and safely, and to supervise the maintenance and repair of
295 vehicles, buses, and other mechanical and mobile equipment
296 used by the county school system.

297 "Switchboard operator-receptionist" means personnel
298 employed to refer incoming calls, to assume contact with the
299 public, to direct and to give instructions as necessary, to
300 operate switchboard equipment and to provide clerical
301 assistance.

302 "Truck driver" means personnel employed to operate light
303 or heavy duty gasoline and diesel-powered vehicles.

304 "Warehouse clerk" means personnel employed to be
305 responsible for receiving, storing, packing and shipping
306 goods.

307 "Watchman" means personnel employed to protect school
308 property against damage or theft. Additional assignments
309 may include operation of a small heating plant and routine
310 cleaning duties.

311 "Welder" means personnel employed to provide acetylene
312 or electric welding services for a school system.

313 In addition to the compensation provided for in section
314 eight-a of this article, for service personnel, each service
315 employee shall, notwithstanding any provisions in this code
316 to the contrary, be entitled to all service personnel employee
317 rights, privileges and benefits provided under this or any
318 other chapter of this code without regard to such employee's
319 hours of employment or the methods or sources of
320 compensation.

321 Service personnel whose years of employment exceed the
322 number of years shown and provided for under the state
323 minimum pay scale set forth in section eight-a of this article,
324 may not be paid less than the amount shown for the
325 maximum years of employment shown and provided for in
326 the classification in which he is employed.

327 The county board of education may establish salary
328 schedules which shall be in excess of the state minimum
329 fixed by this article, these county schedules to be uniform
330 throughout the county with regard to any training

331 classification, experience, years of employment,
332 responsibility, duties, pupil participation, pupil enrollment,
333 size of buildings, operation of equipment or other
334 requirements. Uniformity shall apply to any additional salary
335 increments or compensation for all persons performing like
336 assignments and duties within the county.

337 In establishing such local salary schedules, no county, after
338 the first day of July, one thousand nine hundred eighty-one,
339 shall reduce the amount of money that is the difference
340 between the existing state minimum pay scale and the
341 county's pay scale as of the first day of January, one thousand
342 nine hundred eighty-one, except that a county's pay scale
343 may be reduced when such pay scale is provided from excess
344 levy funds and such excess levy is not renewed.

345 The county boards shall review each service personnel
346 employee job classification annually and shall reclassify all
347 service employees as required by such job classifications. The
348 state superintendent of schools is hereby authorized to
349 withhold state funds appropriated pursuant to this article for
350 salaries for service personnel who are improperly classified
351 by such county boards. Further, he shall order county boards
352 to correct immediately any improper classification matter
353 and with the assistance of the attorney general shall take any
354 legal action necessary against any county board to enforce
355 such order.

356 The state board of education is authorized to establish other
357 class titles of service personnel positions and jobs not listed
358 in this section. The state board of education is further
359 authorized to provide appropriate pay grades for such
360 positions and jobs but pay shall be established within the
361 minimum salary scale in section eight-a of this article.

362 No service employee, without his written consent, may be
363 reclassified by class title or relegated to any condition of
364 employment which would result in a reduction of his salary,
365 rate of pay, compensation or benefits earned during the
366 current fiscal year or which would result in a reduction of his
367 salary, rate of pay, compensation or benefits for which he
368 would qualify by continuing in the same job position and
369 classification held during said fiscal year.

370 Any board failing to comply with the provisions of this
371 article may be compelled to do so by mandamus, and shall be
372 liable to any party prevailing against the board for court costs

373 and his reasonable attorney fee, as determined and
 374 established by the court.

375 The new provisions of this section shall become effective
 376 the first day of July, one thousand nine hundred eighty-one.

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

STATE MINIMUM PAY SCALE

Years of Employment	PAY GRADE							
	A	B	C	D	E	F	G	H
0	674	694	734	784	834	894	924	994
1	692	712	752	802	852	912	942	1012
2	710	730	770	820	870	930	960	1030
3	728	748	788	838	888	948	978	1048
4	746	766	806	856	906	966	996	1066
5	764	784	824	874	924	984	1014	1084
6	782	802	842	892	942	1002	1032	1102
7	800	820	860	910	960	1020	1050	1120
8	818	838	878	928	978	1038	1068	1138
9	836	856	896	946	996	1056	1086	1156
10	854	874	914	964	1014	1074	1104	1174
11	872	892	932	982	1032	1092	1122	1192
12	890	910	950	1000	1050	1110	1140	1210
13	908	928	968	1018	1068	1128	1158	1228
14	926	946	986	1036	1086	1146	1176	1246
15	944	964	1004	1054	1104	1164	1194	1264
16	962	982	1022	1072	1122	1182	1212	1282

CLASS TITLE	PAY GRADE
1 Accountant I	D
2 Accountant II	E
3 Accountant III	F
4 Aide I	A
5 Aide II	B
6 Aide III	C
7 Audiovisual Technician	C
8 Bus Operator	D
9 Buyer	F
10 Cabinet Maker	G
11 Cafeteria Manager	D
12 Carpenter I	E

13	Carpenter II	F
14	Chief Mechanic	G
15	Clerk I	B
16	Clerk II	C
17	Computer Operator	E
18	Cook I	A
19	Cook II	B
20	Cook III	C
21	Crew Leader	F
22	Custodian I	A
23	Custodian II	B
24	Custodian III	C
25	Custodian IV	D
26	Director or Coordinator of Services	H
27	Draftsman	D
28	Electrician I	F
29	Electrician II	G
30	Electronic Technician I	F
31	Electronic Technician II	G
32	Executive Secretary	G
33	Food Services Supervisor	G
34	Foreman	G
35	General Maintenance	C
36	Glazier	D
37	Graphic Artist	D
38	Groundsman	B
39	Handyman	B
40	Heating and Air Conditioning Mechanic I	E
41	Heating and Air Conditioning Mechanic II	G
42	Heavy Equipment Operator	E
43	Inventory Supervisor	D
44	Key Punch Operator	B
45	Locksmith	G
46	Lubrication Man	C
47	Machinist	F
48	Maintenance Clerk	C
49	Mason	G
50	Mechanic	F
51	Mechanic Assistant	E
52	Office Equipment Repairman I	F
53	Office Equipment Repairman II	G
54	Painter	E

55	Plumber I	E
56	Plumber II	G
57	Printing Operator	B
58	Printing Supervisor	D
59	Programmer	H
60	Roofing/Sheet Metal Mechanic	F
61	Sanitation Plant Operator	F
62	School Bus Supervisor	E
63	Secretary I	D
64	Secretary II	E
65	Secretary III	F
66	Supervisor of Maintenance	H
67	Supervisor of Transportation	H
68	Switchboard Operator-Receptionist	D
69	Truck Driver	D
70	Warehouse Clerk	C
71	Watchman	B
72	Welder	F
73	On and after the first day of July, one thousand nine	
74	hundred seventy-nine, the minimum monthly pay for each	
75	service employee whose employment is for a period of more	
76	than three and one-half hours a day shall be at least the	
77	amounts indicated in the "state minimum pay scale" as set	
78	forth in this section, and the minimum monthly pay for each	
79	service employee whose employment is for a period of three	
80	and one-half hours or less a day shall be at least one half the	
81	amount indicated in the "state minimum pay scale" set forth	
82	in this section.	
83	Any service employee required to work on any legal	
84	holiday shall be paid at a rate one and one-half times his usual	
85	hourly rate.	

§18A-5-4a. Educational or service meetings.

1 A county board of education may approve the attendance of
2 any or all service personnel at educational conventions,
3 conferences, or school service meetings of service personnel
4 on school days when in the judgment of the superintendent it
5 is necessary or desirable. Attendance at such meetings may
6 be substituted for an equal amount of employment and
7 service personnel so attending shall not suffer loss of pay.
8 Further, the board is authorized to pay all or any part of
9 expenses of any personnel whom it may designate to
10 represent the board at any such educational conventions,

11 conferences or school service meetings or in visitation to
12 another school system.

CHAPTER 18. EDUCATION.

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.

§18-9A-2. Definitions.

1 For the purpose of this article:

2 "State board" means the West Virginia board of education.

3 "County board" or "board" means a county board of
4 education.

5 "Professional salaries" means the state legal-mandated
6 salaries of the professional educators as provided in article
7 four, chapter eighteen-a of this code.

8 "Professional educator" shall be synonymous with and
9 shall have the same meaning as "teacher" as defined in
10 section one, article one, chapter eighteen of this code.

11 "Professional instructional personnel" means a
12 professional educator whose regular duty is as that of a
13 classroom teacher, librarian or counselor. A professional
14 educator having both instructional and administrative or
15 other duties shall be included as professional instructional
16 personnel for that ratio of the school day for which he is
17 assigned and serves on a regular full-time basis in appropriate
18 instruction, library or counseling duties.

19 "Service personnel salaries" shall mean the state
20 legal-mandated salaries for service personnel as provided in
21 section eight-a, article four, chapter eighteen-a of the code.

22 "Service personnel" shall mean all personnel as provided
23 for in section eight, article four, chapter eighteen-a of this
24 code. For the purpose of computations under this article of
25 ratios of service personnel to adjusted enrollment, a service
26 employee shall be counted as that number found by dividing
27 his number of employment days in a fiscal year by two
28 hundred: *Provided, however,* That the computation for any
29 such person employed for three and one-half hours or less per
30 day as provided in section eight-a, article four, chapter
31 eighteen-a of this code, shall be calculated as one half an
32 employment day.

33 "Net enrollment" means the number of pupils enrolled in
34 special education programs, early childhood programs and
35 grades one to twelve, inclusive, of the public schools of the
36 county.

37 “Adjusted enrollment” means the net enrollment plus
38 twice the number of pupils enrolled for special education, all
39 adjusted to the equivalent of the instructional term and in
40 accordance with such eligibility requirements and
41 regulations as established by the state board, but no pupil
42 shall be counted more than once by reason of transfer within
43 the county or from another county within the state, and no
44 pupil shall be counted who attends school in this state from
45 another state.

46 “Levies for general current expense purposes” means on
47 each hundred dollars of valuation, twenty-two and five-tenths
48 cents on Class I property, forty-five cents on Class II
49 property, and ninety cents on Classes III and IV property.

50 “Average expenditure per pupil” for the state and the
51 several counties means the total of (a) expenditures from, (b)
52 transfers from and (c) current year outstanding obligations of
53 a county’s current expense fund budget plus (d) current
54 year’s property tax revenues collected for the permanent
55 improvement fund minus (a) any expenditure, transfer or
56 current year’s outstanding obligation of federal funds and (b)
57 revenues from increased levies approved by voters as
58 provided in section ten, article X of the constitution of West
59 Virginia in the current expense fund which net expenditure
60 found is divided by the number of students in adjusted
61 enrollment. The data used for such computation shall be that
62 of the second preceding school year.

§18-9A-3. Total state basic foundation program.

1 The total basic foundation program for the state for any
2 year shall be the sum of the computed costs for the counties
3 in aggregate, as hereinafter determined, for the following:

- 4 (1) Allowance for professional educators;
- 5 (2) Allowance for service personnel;
- 6 (3) Allowance for fixed charges;
- 7 (4) Allowance for transportation cost;
- 8 (5) Allowance for administrative cost;
- 9 (6) Allowance for other current expense and substitute
10 employees; and
- 11 (7) Allowance to improve instructional programs.

§18-9A-4. Foundation allowance for professional educators.

1 The basic foundation allowance to the county for
2 professional educators shall be the amount of money
3 required to pay the state minimum salaries, in accordance

4 with provisions of article four, chapter eighteen-a of the code,
5 to such personnel employed: *Provided*, That in making this
6 computation no county shall receive an allowance for such
7 personnel which number is in excess of fifty-five professional
8 educators to each one thousand students in adjusted
9 enrollment: *Provided, however*, That any county not
10 qualifying under the provision of section fourteen of this
11 article shall be eligible for a growth rate in professional
12 personnel in any one year not to exceed twenty percent of its
13 total potential increase under this provision, except that in no
14 case shall such limit be fewer than five professionals:
15 *Provided further*, That the number of and the allowance for
16 personnel paid in part by state and county funds shall be
17 prorated: *And provided further*, That where two or more
18 counties join together in support of a vocational or
19 comprehensive high school or any other program or service,
20 the professional educators for such school or program may be
21 prorated among the participating counties on the basis of
22 each one's enrollment therein and that such personnel shall
23 be considered within the above-stated limit: *And provided*
24 *further*, That in the school year beginning the first day of
25 July, one thousand nine hundred eighty-two, and for each
26 succeeding school year each county board shall establish and
27 maintain a minimum ratio of forty-nine professional
28 instructional personnel per one thousand students in
29 adjusted enrollment and any county board which does not
30 establish and maintain this minimum ratio shall suffer a pro
31 rata reduction in the allowance for professional educators
32 under this section, and, further, any county board which does
33 not establish and maintain this minimum ratio shall utilize
34 any and all allocations to it by provision of section fourteen of
35 this article solely to employ professional instructional
36 personnel until the minimum ratio is attained.

§18-9A-5. Foundation allowance for service personnel.

1 The basic foundation allowance to the county for service
2 personnel shall be the amount of money required to pay the
3 annual state minimum salaries in accordance with the
4 provisions of article four, chapter eighteen-a of the code, to
5 such service personnel employed: *Provided*, That no county
6 shall receive an allowance for an amount in excess of
7 thirty-four service personnel per one thousand students in
8 adjusted enrollment; for any county which has in excess of

9 thirty-four service personnel per one thousand students in
10 adjusted enrollment, such allowance shall be computed
11 based upon the average state minimum pay scale salary of all
12 service personnel in such county: *Provided, however*, That for
13 any county having fewer than thirty-four service personnel
14 per one thousand students in adjusted enrollment in any one
15 year, the number of service personnel used in making this
16 computation may be increased the succeeding year by no
17 more than ten percent of its total potential increase under this
18 provision, except that in no case shall such limit be fewer
19 than two service personnel until the county attains the
20 maximum ratio set forth: *Provided further*, That where two or
21 more counties join together in support of a vocational or
22 comprehensive high school or any other program or service,
23 the service personnel for such school or program may be
24 prorated among the participating counties on the basis of
25 each one's enrollment therein and that such personnel shall
26 be considered within the above-stated limit.

§18-9A-6. Foundation allowance for fixed charges.

1 The total allowance for fixed charges shall be the sum of the
2 following:

3 (1) The sum of the foundation allowance for professional
4 educators and the foundation allowance for other personnel,
5 as determined in sections four and five above, multiplied by
6 the current social security rate of contribution; plus

7 (2) The sum of the foundation allowance for professional
8 educators and the foundation allowance for other personnel,
9 as determined in sections four and five above, multiplied by
10 the current rate of unemployment compensation
11 contribution set out in section five, article five, chapter
12 twenty-one-a, for employers who have been employers for
13 less than thirty-six months, plus the rate set out in paragraph
14 (b), section five, article five, chapter twenty-one-a, as long as
15 said additional tax shall continue; plus

16 (3) The sum of the foundation allowance for professional
17 educators and the foundation allowance for other personnel,
18 as determined in sections four and five above, multiplied by
19 the rate which is derived by dividing the total contributions
20 for workman's compensation for professional educators and
21 other personnel by the total of the state minimum salaries.
22 The computation of this rate shall be determined by using
23 data of the most recent year for which available.

§18-9A-7. Foundation allowance for transportation cost.

1 The allowance in the foundation school program for each
2 county for transportation shall be the sum of the following
3 computations:

4 (1) Eighty percent of the transportation cost within each
5 county for maintenance, operation and related costs,
6 exclusive of all salaries;

7 (2) The total cost, within each county, of insurance
8 premiums on buses, buildings and equipment used in
9 transportation: *Provided*, That such premiums were
10 procured through competitive bidding;

11 (3) An amount equal to eleven and one-tenth percent of
12 the current replacement value of the bus fleet within each
13 county as determined by the state board, such amount to be
14 used only for the replacement of buses: *Provided*, That the
15 percentages used shall be twelve percent for the school year
16 beginning the first day of July, one thousand nine hundred
17 eighty-two, and twelve and five-tenths percent for the school
18 year beginning on the first day of July, one thousand nine
19 hundred eighty-three and thereafter;

20 (4) Eighty percent of the cost of contracted transportation
21 services and public utility transportation with each county;
22 and

23 (5) Aid in lieu of transportation equal to the state average
24 amount per pupil for each pupil receiving such aid within
25 each county.

26 The total state share for this purpose shall be the sum of the
27 county shares: *Provided*, That no county shall receive an
28 allowance which is greater than one third above the
29 computed state average allowance per mile multiplied by the
30 total mileage in the county.

§18-9A-8. Foundation allowance for administrative cost.

1 The allowance for administrative cost shall be equal to
2 seven-tenths of one percent of the allocation for professional
3 educators, as determined in section four of this article.
4 Distribution of the computed allowance shall be made to the
5 counties in equal amounts.

§18-9A-9. Foundation allowance for other current expense and substitute employees.

1 The total allowance for other current expense and
2 substitute employees shall be the sum of the following:

3 (1) For current expense, four percent of the sum of the
4 computed state allocation for professional educators and
5 service personnel as determined in sections four and five of
6 this article. Distribution to the counties shall be made
7 proportional to adjusted enrollment; plus

8 (2) For professional educator substitutes or current
9 expense, two and five-tenths percent of the computed state
10 allocation for professional educators as determined in section
11 four of this article. Distribution to the counties shall be made
12 proportional to the total county allocation for professional
13 educators; plus

14 (3) For service personnel substitutes or current expense,
15 two and five-tenths percent of the computed state allocation
16 for service personnel as determined in section five of this
17 article. Distribution to the counties shall be made
18 proportional to the total county allocation for service
19 personnel.

§18-9A-10. Foundation allowance to improve instructional programs.


1 Commencing with the school year beginning on the first
2 day of July, one thousand nine hundred eighty-two, funds
3 which accrue from allocations due to increase in total local
4 share above that computed for the school year beginning on
5 the first day of July, one thousand nine hundred eighty-one,
6 from balances in the general school fund, or from
7 appropriations for such purpose shall be allocated to increase
8 state support of counties as follows:

9 Twenty percent of the accrued funds shall be allocated to
10 the counties proportional to adjusted enrollment and eighty
11 percent of the accrued funds shall be allocated according to
12 the following plan for progress toward and to basic
13 pupil-expenditure equity.

14 Beginning with the county which has the lowest average
15 expenditure per pupil and progressing through the counties
16 successively to and beyond the county with the highest
17 average expenditure per pupil, the funds available shall be
18 allocated in amounts necessary to increase moneys available
19 to the county or counties to the expenditure per pupil level, as
20 nearly as is possible, of the county having the next higher
21 expenditure per pupil: *Provided*, That to be eligible for its
22 allocation under this section, a county board shall lay the
23 maximum regular tax rates set out in section six-c, article

24 eight, chapter eleven of this code: *Provided, however, That*
25 moneys allocated by provision of this section shall be used to
26 improve instructional programs according to a plan for
27 instructional improvement which the affected county boards
28 shall file with the state board by the first day of August of
29 each year, to be approved by the state board by the first day of
30 September of that year if such plan substantially complies
31 with standards to be adopted by the state board: *Provided*
32 *further*, That no part of this allocation may be used to employ
33 professional educators in counties until and unless all
34 applicable provisions of sections four and fourteen of this
35 article have been fully utilized. Such instructional
36 improvement plan shall be made available for distribution to
37 the public at the office of each affected county board.

**§18-9A-11. Computation of local share; appraisal and
assessment of property.**

1 (a) On the basis of the most recent survey of property
2 valuations in the state, completed as to all classes of property
3 in all counties determined by the tax commissioner under
4 present or former provisions of this article, the state board
5 shall for each county compute by application of the levies for
6 general current expense purposes, as defined in section two
7 of this article, the amount of revenue which such levies would
8 produce if levied upon one hundred percent of the appraised
9 value of each of the several classes of property contained in
10 the report or revised report of such value, made to it by the
11 tax commissioner as follows: (1) The state board shall first
12  make ninety-seven and one-half percent of the amount
13 ascertained by applying these rates to the total assessed
14 public utility valuation in each classification of property in
15 the county. (2) The state board shall then apply these rates to
16 the appraised value of other property in each classification in
17 the county as determined by the tax commissioner and shall
18 deduct therefrom five percent as an allowance for the usual
19 losses in collections due to discounts, exonerations,
20 delinquencies and the like. Fifty percent of the amount so
21 determined shall be added to the ninety-seven and one-half
22 percent of public utility taxes computed as provided above
23 and this total shall be the local share of the particular county.

24 Effective the first day of July, one thousand nine hundred
25 eighty-two, fifty-five percent of the amount so determined
26 shall be added to the ninety-seven and one-half percent of

27 public utility taxes computed as provided above and this total
28 shall be the local share of the particular county.

29 (b) The tax commissioner shall make or cause to be made
30 an appraisal in the several counties of the state of all
31 nonutility real property and of all nonutility personal
32 property which shall be based upon true and actual value as
33 set forth in article three, chapter eleven of this code. In
34 determining the value of personal property—other than all
35 machinery, equipment, furniture and fixtures of any
36 industrial plant, mine, quarry or installation and of any
37 commercial, industrial or professional establishment—the
38 tax commissioner shall prescribe accepted methods of
39 determining such values. The tax commissioner shall in
40 accordance with such methods determine the value of such
41 property.

42 For the purpose of appraising commercial, industrial and
43 professional properties, the tax commissioner, after
44 consultation with the county commission, may employ a
45 competent property appraisal firm or firms, which appraisals
46 shall be under his supervision and direction.

47 In making or causing to be made such appraisal, the tax
48 commissioner shall employ such assistance as available
49 appropriations will permit and shall prescribe and use such
50 accepted methods and procedures for checking property
51 values and determining the amount of property in the several
52 classes of property provided by law as are customarily
53 employed for appraisal purposes.

54 (c) Such appraisal of all said property in the several
55 counties shall be completed prior to the first day of July, one
56 thousand nine hundred sixty-seven. Each year after the
57 completion of the property appraisal in a county the tax
58 commissioner shall maintain the appraisal by making or
59 causing to be made such surveys, examinations, audits, maps
60 and investigations of the value of the several classes of
61 property in each county which should be listed and taxed
62 under the several classifications, and shall determine the
63 appraised value thereof. On the basis of information so
64 ascertained, the tax commissioner shall annually revise his
65 reports to the Legislature and to the state board concerning
66 such appraisals, such reports to be made not later than the
67 first day of January of each year.

68 (d) The tax commissioner shall prescribe appropriate
69 methods for the appraisal of the various types of property

70 subject to taxation as public utilities and the types of
71 property which are to be included in the operating property
72 of a public utility and thereby not subject to taxation by the
73 county assessor. Only parcels or other property, or portions
74 thereof, which are an integral part of the public utility's
75 function as a utility shall be included as operating property.

76 (e) As information from such appraisal of property in a
77 county under the provisions of this section becomes available
78 for a district, municipality and county, the tax commissioner
79 shall notify the county commission and the assessor of said
80 county that such information is available and shall make
81 available to said county commission and assessor all data,
82 records and reports or other information relating to said
83 work, along with a list of any properties in said district,
84 municipality and county which are entered on the assessment
85 rolls but for which no appraisal has been made, a list of any
86 properties which were appraised but which cannot be found
87 on the assessment rolls and a list of all properties carried on
88 the assessment rolls which have not been identified on the
89 map. Said list shall set forth the name of the owner and a
90 description of the property and the reason, if known, for its
91 failure to have been entered on the assessment rolls or to have
92 been appraised or to have been identified on the map, as the
93 case may be.

94 (f) As such appraisal of property in a county, under this
95 section, is completed to the extent that a total valuation for
96 each class of property can be determined, such appraisal shall
97 be delivered to the assessor and the county commission, and
98 in each assessment year commencing after such appraisal is
99 so delivered and received, the county assessor and the county
100 commission, sitting as a board of equalization and review,
101 shall use such appraised valuations as a basis for determining
102 the true and actual value for assessment purposes of the
103 several classes of property. The total assessed valuation in
104 each of the four classes of property shall not be less than fifty
105 percent nor more than one hundred percent of the appraised
106 valuation of each said class of property: *Provided, however,*
107 That beginning July one, one thousand nine hundred
108 eighty-one, the total assessed valuation in each of the four
109 classes of property shall not be less than sixty percent of the
110 appraised valuation of each said class of property.

111 (g) Whenever in any year a county assessor or a county
112 commission shall fail or refuse to comply with the provisions

113 of this section in setting the valuations of property for
114 assessment purposes in any class or classes of property in the
115 county, the state tax commissioner shall review the
116 valuations for assessment purposes made by the county
117 assessor and the county commission and shall direct the
118 county assessor and the county commission to make such
119 corrections in the valuations as may be necessary so that they
120 shall comply with the requirements of chapter eleven of this
121 code and this section, and the tax commissioner shall enter
122 the county and fix the assessments at the required ratios.
123 Refusal of the assessor or the county commission to make
124 such corrections shall constitute grounds for removal from
125 office.

126 (h) In any year in which the total assessed valuation of a
127 county shall fail to meet the minimum requirements above
128 set forth, the county commission of such county shall allocate
129 for such year to the county board of education from the tax
130 levies allowed to the county commission a sufficient portion
131 of its levies as will, when applied to the valuations for
132 assessment purposes of such property in the county, provide
133 a sum of money equal to the difference between the amount
134 of revenue which will be produced by application of the
135 allowable school levy rates defined in section two of this
136 article upon the valuations for assessment purposes of such
137 property and the amount of revenue which would be yielded
138 by the application of such levies to fifty percent of the total of
139 appraised valuations of such property. In the event the
140 county commission shall fail or refuse to make the
141 reallocation of levies as provided for herein, the county board
142 of education, the tax commissioner, the state board, or any
143 other interested party, shall have the right to enforce the same
144 by writ of mandamus in any court of competent jurisdiction.

145 (i) In conjunction with and as a result of the appraisal
146 herein set forth the tax commissioner shall have the power,
147 and it shall be his duty, to establish a permanent records
148 system for each county in the state, consisting of:

149 (1) Tax maps of the entire county drawn to scale or aerial
150 maps, which maps shall indicate all property and lot lines, set
151 forth dimensions or areas, indicate whether the land is
152 improved, and identify the respective parcels or lots by a
153 system of numbers or symbols and numbers, whereby the
154 ownership of such parcels and lots can be ascertained by

155 reference to the property record cards and property owner's
156 index;

157 (2) Property record cards arranged geographically
158 according to the location of property on the tax maps, which
159 cards shall set forth the location and description thereof, the
160 acreage or dimensions, description of improvements, if any,
161 the owner's name, address and date of acquisition, the
162 purchase price, if any, set forth in the deed of acquisition, the
163 amount of tax stamps, if any, on the deed, the assessed
164 valuation, and the identifying number or symbol and
165 number, shown on the tax map; and

166 (3) Property owner's index consisting of an alphabetical
167 listing of all property owners, setting forth brief descriptions
168 of each parcel or lot owned and cross-indexed with the
169 property record cards and the tax map.

170 (j) The tax commissioner is hereby authorized and
171 empowered to enter into such contracts as may be necessary,
172 and for which funds may be available, to establish the
173 permanent records system herein provided for, or may
174 through his staff and employees, prepare and complete such
175 system.

176 All microfilm photography and original copies of tax maps
177 created under the provisions of this section are the property
178 of the state of West Virginia and the reproduction, copying,
179 distribution or sale of such microfilm, photography or tax
180 maps or any copies thereof without the written permission of
181 the state tax commissioner is prohibited. Any person who
182 shall violate the provisions of this paragraph shall be guilty of
183 a misdemeanor, and, upon conviction thereof, shall be fined
184 not less than fifty dollars nor more than three hundred
185 dollars, or imprisoned in the county jail not less than thirty
186 days nor more than one year, or both fined and imprisoned.
187 Magistrates shall have concurrent jurisdiction with other
188 courts having jurisdiction for the trial of all misdemeanors
189 arising under this paragraph.

190 The tax commissioner shall by uniform regulations
191 establish a procedure for the sale of reproduction of
192 microfilm, photography and maps and may pay for having
193 such reproductions made from the appropriation for
194 "property appraisal." Any funds received as a result of the
195 sale of such reproductions shall be deposited to the
196 appropriated account from which the payment for
197 reproduction is made.

198 (k) The cost of conducting the appraisal herein provided
199 for shall be borne jointly by the state and the several counties
200 in the following manner and terms: There shall be
201 appropriated from the general revenue fund annually an
202 amount sufficient to maintain the appraisal in all counties of
203 the state. Each county shall furnish, through its county
204 commission, not more than ten percent of the cost of such
205 appraisal or reappraisal and permanent records system for
206 each county. Such county costs may be paid over a period of
207 three years with the approval of the tax commissioner. In
208 those instances where the cost of the appraisal, reappraisal or
209 permanent records system required by this section has been
210 paid by the tax commissioner from funds appropriated for
211 these purposes, the share of such cost allocated to each
212 county shall, upon receipt thereof by the tax commissioner,
213 be deposited to the appropriated account from which such
214 payments have been made. In those instances where a county
215 has heretofore employed a professional appraisal firm to
216 conduct an appraisal or reappraisal of all or part of nonutility
217 property within the past seventeen years, and such appraisal
218 has been accepted by the tax commissioner, with the county
219 having borne in excess of ten percent of the cost of such
220 appraisal, reappraisal, and permanent records system,
221 monetary reimbursement of one third of such excess costs
222 shall be made by the tax commissioner from funds
223 appropriated for such purpose, to such county, yearly, for a
224 period of three years, in order to establish the joint sharing of
225 such costs as hereinbefore set forth.

226 (l) The county assessor and the county commission shall
227 comply with the provisions of chapter eleven of this code in
228 determining the true and actual value of property for
229 assessment purposes and shall not arbitrarily use a direct
230 percentage application to the appraisal valuations, whether
231 complete appraisal or spot survey, of any class of property or
232 property within a class for such purposes.

233 (m) The provisions of this section shall not be construed to
234 alter or repeal in any manner the provisions of chapter eleven
235 of this code, but shall be construed in pari materia therewith
236 and compliance with this section by the assessor and county
237 commission shall be considered, pro tanto, as compliance
238 with said chapter eleven.

§18-9A-13. Allowance for loss reduction.

1 For the fiscal year beginning on the first day of July, one
2 thousand nine hundred eighty-one, and for the next four
3 fiscal years, there shall be an allowance for loss reduction
4 which shall be distributed as provided in this section.

5 In order to determine which counties are entitled to such
6 allowance, and the amount of such allowance, the state board
7 shall first compute the amount to be received by each county
8 from the regular state aid appropriation for the fiscal year
9 beginning on the first day of July, one thousand nine hundred
10 eighty-one, allocated as provided in section twelve of this
11 article. The state board shall then compare such amount with
12 the state aid which each such county would have received
13 from the plan in effect during the fiscal year one thousand
14 nine hundred eighty—one thousand nine hundred
15 eighty-one. The state board shall then compute the amount of
16 each county's salary increase for professional educators and
17 for service personnel to which it adds an amount for fixed
18 charges computed as provided in section six of this article
19 and the increase allowed for bus fleet replacement. The state
20 board shall then determine which counties' salary increase
21 plus allocated fixed charges and increase allowed for bus fleet
22 replacement exceeds the difference in state aid from the cited
23 years and the amount of this excess found shall be allocated
24 to the affected counties from funds appropriated for this
25 purpose for the fiscal years beginning the first day of July,
26 one thousand nine hundred eighty-one, eighty-two,
27 eighty-three, eighty-four and eighty-five.

§18-9A-14. Incentive for staffing improvement.

1 (a) In order to encourage counties to move toward new
2 and improved programs and to reduce class size, counties
3 having ratios of adjusted enrollment to professional staff
4 higher than the state average will be granted advance funds to
5 employ sufficient additional staff to reach the state average:
6 *Provided*, That in any one fiscal year no more than one half of
7 such additional staff may be counted under this provision.
8 Such funds shall be granted to each eligible county based on
9 data at the end of the second month of school but only on the
10 basis of actual staff members employed.

11 (b) Counties having ratios of adjusted enrollment to
12 service personnel higher than the state average will be
13 granted funds to employ service personnel to progress
14 toward the state average: *Provided*, That in any fiscal year the

15 number of service personnel for which funds are allocated
16 shall not exceed that number of service personnel by which
17 the counties' computations for allocations may be increased
18 as provided in section five of this article.

§18-9A-21. Facilities planning.

1 (a) The Legislature finds that continual evaluation,
2 long-term planning, maintenance and improvement of
3 educational facilities on the basis of need on a statewide level
4 is necessary to provide for a thorough and efficient system of
5 free schools; and that the Legislature is in need of
6 information relative to alternative approaches for the
7 financing of a comprehensive, ongoing program of facility
8 construction and renovation.

9 (b) There shall be established within the state department
10 of education a division of facilities planning which shall be
11 responsible for the planning of school facility construction
12 and renovation on a statewide basis. Such division shall: (1)
13 study alternative approaches to the financing of an ongoing,
14 comprehensive program of school facility construction and
15 renovation; (2) establish standards and criteria for the
16 construction of educational facilities; (3) assess the facility
17 needs of each county and update the same as appropriate; (4)
18 establish procedures for the allocation of projects on the basis
19 of need upon receipt of, and to the extent of, funding for such
20 purposes; (5) provide professional planning and assistance to
21 improve, expand or maintain school facilities on a statewide
22 basis. The division shall employ an architect or such other
23 professional, technical and support staff as are necessary to
24 carry out the purposes of this section.

25 (c) The state board of education shall submit a report to
26 the Legislature on or before the fifteenth day of January, one
27 thousand nine hundred eighty-two, proposing alternative
28 methods for financing an ongoing comprehensive program of
29 facilities construction on the basis of need. The division of
30 facilities planning shall provide an annual report of its
31 assessments and recommendations to the state board of
32 education.

§18-9A-22. Standards for educational quality.

1 On or before January one, one thousand nine hundred
2 eighty-two, the state board of education shall establish and
3 adopt standards for quality education and shall provide each
4 county board of education a copy thereof.

5 On or before July one, one thousand nine hundred
6 eighty-two, and each July one thereafter, each county board
7 of education shall file an annual specific program plan with
8 the state department of education. The program plan shall, at
9 a minimum, meet the statewide standards for educational
10 quality as established by the state board of education.

11 The purpose of the program plan is to allow county boards
12 of education flexibility in developing school improvement
13 programs structured around locally identified needs, but in
14 compliance with the standards adopted by the state board of
15 education. Standards must be met in curriculum, finance,
16 transportation, special education, facilities, textbooks,
17 personnel qualifications and other such areas as determined
18 by the state board of education.

19 The state department of education shall review the plans
20 annually and conduct an on-site review of each county's
21 educational program every fourth year. The state board of
22 education shall have authority to issue three types of
23 recognition status: (1) full approval, (2) probationary and (3)
24 nonapproval.

25 *Full approval status* may be granted to a county board of
26 education whose educational program has undergone an
27 on-site evaluation by representatives of the state department
28 of education and has met the minimal standards adopted by
29 the state board of education. Full approval status shall be for
30 a period not to exceed four years.

31 *Probationary status* is given to a county board of education
32 whose educational program has not met the minimal
33 standards. Probationary status is a warning that the county
34 board of education must make specified improvements. If
35 progress is not made toward meeting the minimum standards
36 during the succeeding year, the county board of education is
37 automatically placed on nonapproval status.

38 *Nonapproval status* is given to a county board of education
39 which fails to submit an annual program plan, fails to give
40 evidence of meeting the minimal standards or has not
41 demonstrated a reasonable effort to meet such standards.

42 If a county board of education receives nonapproval status
43 for two years in succession, the state board of education shall
44 reduce public school support as provided under this article
45 by three percent during the second year and thereafter as
46 long as the county board of education is on nonapproval
47 status.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Bayler
Chairman Senate Committee

Tony E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1981.

John C. Wick
Clerk of the Senate

VA Blankenship
Clerk of the House of Delegates

Warren R. McSwain
President of the Senate

Walter M. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *19*

day of *May*, 1981.

Paul D. Ivey
Governor

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SECY. OF STATE