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WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1984

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**ENROLLED**  
*Committee Substitute for*  
SENATE BILL NO. 131

(By Mr. *McGraw, Mr. President et al.*)

—•—  
PASSED March 10, 1984  
In Effect July 1, 1984 **Passage**



**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**Senate Bill No. 131**

(MR. MCGRAW, MR. PRESIDENT, MR. HOLLIDAY, MR. NELSON, MR. STACY,  
MR. BOETTNER, MR. HECK, MR. DAVIS, MR. KAUFMAN, MR. CHERNENKO,  
MR. WHITACRE, MR. ASH, MR. TOMBLIN, MS. CHACE, MR. PARKER, MRS.  
SPEARS, MR. TONKOVICH, MS. LUCHT AND MR. WRIGHT, *original*  
*sponsors*)

[Passed March 10, 1984; to take effect July 1, 1984.]

AN ACT to repeal section ten-a, article nine-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend and reenact sections two and twenty-two of said article nine-a; to amend and reenact sections two, three, five, eight and eight-a, article four, chapter eighteen-a of said code; and to further amend article four of said chapter eighteen-a by adding thereto three new sections, designated sections five-a, five-b and five-c, all relating to increasing the minimum salary schedule for teachers and school service personnel; increasing the salary increment for principals; providing a salary increment for assistant principals; providing a state salary ~~increment~~ <sup>supplement</sup> for teachers and school service personnel, subject to available state appropriations and certain other conditions, to assist in salary equity among the counties; requiring certain

surplus revenues to be expended therefor; authorizing counties to continue salary supplements with certain limitations and exceptions thereto; authorizing counties to provide benefits to school personnel with certain limitations to assist in benefit equity among the counties; providing for aides in special education programs; creating an "Aide IV" class title for school service personnel with a corresponding pay grade; excluding salary equity appropriations in the calculation of "basic resources per pupil"; providing for high quality educational standards; adding a recognition status of substantial approval; deleting the penalty clause for counties on nonapproval status for two years in succession; and repealing an obsolete code provision.

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

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

## **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
- 3 education.
- 4 "County board" or "board" means a county board of
- 5 education.
- 6 "Professional salaries" means the state legally mandated
- 7 salaries of the professional educators as provided in article
- 8 four, chapter eighteen-a of this code.
- 9 "Professional educator" shall be synonymous with and
- 10 shall have the same meaning as "teacher" as defined in
- 11 section one, article one, chapter eighteen of this code.
- 12 "Professional instructional personnel" means a
- 13 professional educator whose regular duty is as that of a

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

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

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

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

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

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

51 "Basic resources per pupil" for the state and the several  
52 counties means the total of (a) property tax revenues  
53 computed at the maximum regular levy rates as provided by  
54 section six-c, article eight, chapter eleven of this code, at a  
55 uniform rate of ninety-five percent, but excluding revenues

56 from increased levies as provided in section ten, article X of  
57 the Constitution of West Virginia, and (b) basic state aid as  
58 provided in sections twelve and thirteen of this article, but  
59 excluding the foundation allowance to improve  
60 instructional programs as provided in section ten of this  
61 article, and excluding any funds appropriated for the  
62 purpose of achieving salary equity among county board  
63 employees, this total divided by the number of students in  
64 adjusted enrollment: *Provided, however,* That any year's  
65 allocations to the counties of the eighty percent portion of  
66 the foundation allowance to improve instructional  
67 programs, as provided in section ten of this article, shall be  
68 determined on the basis of the immediately preceding  
69 school year's basic resources per pupil.

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

1 The purpose of this section is to declare the intent of the  
2 Legislature to provide a thorough and efficient system of  
3 education for West Virginia public school students. High  
4 quality educational standards shall be provided all public  
5 school students on an equal educational opportunity basis.  
6 A system for the review of county educational plans and the  
7 on-site reviews of county educational programs shall  
8 provide assurances that the high quality standards,  
9 established pursuant to this section, are being met.

10 On or before January one, one thousand nine hundred  
11 eighty-five, the state board of education shall establish and  
12 adopt high quality educational standards and shall provide  
13 each county board of education a copy thereof.

14 On or before July one, one thousand nine hundred eighty-  
15 five, and each July one thereafter, each county board of  
16 education shall file an annual specific program plan with  
17 the state department of education. The program plan shall,  
18 at a minimum, meet the statewide high quality educational  
19 standards as established by the state board of education.

20 The purpose of the program plan is to allow county  
21 boards of education flexibility in developing school  
22 improvement programs structured around locally  
23 identified needs, but in compliance with the high quality  
24 standards adopted by the state board of education. High  
25 quality standards must be met in curriculum, finance,  
26 transportation, special education, facilities, textbooks,

27 personnel qualifications and other such areas as  
28 determined by the state board of education.

29 The state department of education shall review the plans  
30 annually and conduct an on-site review of each county's  
31 educational program every fourth year. The state board of  
32 education shall have authority to issue four types of  
33 recognition status: (1) Full approval, (2) substantial  
34 approval, (3) probationary, and (4) nonapproval.

35 Full approval status may be granted to a county board of  
36 education whose educational program has undergone an  
37 on-site evaluation by representatives of the state  
38 department of education and has met the high quality  
39 standards adopted by the state board of education. Full  
40 approval status shall be for a period not to exceed four  
41 years.

42 Substantial approval status may be granted to a county  
43 board of education whose educational program has  
44 satisfied all conditions identified under full approval  
45 status, with <sup>the</sup> exception of an on-site review, or all conditions  
46 identified under full approval have been satisfied except  
47 that one or more of the high quality standards have not been  
48 met but will be attained within one year, as described in an  
49 acceptable plan of action.

50 Probationary status is given to a county board of  
51 education whose educational program has not met the high  
52 quality standards. Probationary status is a warning that the  
53 county board of education must make specified  
54 improvements. If progress is not made toward meeting the  
55 high quality standards during the succeeding year, the  
56 county board of education is automatically placed on  
57 nonapproval status.

58 Nonapproval status is given to a county board of  
59 education which fails to submit an annual program plan,  
60 fails to give evidence of meeting the high quality standards  
61 or has not demonstrated a reasonable effort to meet such  
62 standards.

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## CHAPTER 18A. SCHOOL PERSONNEL.

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

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

#### STATE MINIMUM SALARY SCHEDULE

(1) Years Exp.	(2) 4th Class	(3) 3rd Class	(4) 2nd Class	(5) A.B.	(6) A.B. + 15	(7) M.A.	(8) M.A. + 15	(9) M.A. + 30	(10) Doc- torate
1 0	10,453	11,060	11,303	12,455	13,055	13,655	14,255	14,855	15,455
2 1	10,639	11,246	11,489	12,816	13,416	14,016	14,616	15,216	15,816
3 2	10,825	11,432	11,675	13,177	13,777	14,377	14,977	15,577	16,177
4 3	11,011	11,618	11,861	13,538	14,138	14,738	15,338	15,938	16,538
5 4	11,197	11,804	12,047	13,899	14,499	15,099	15,699	16,299	16,899
6 5	11,383	11,990	12,233	14,260	14,860	15,460	16,060	16,660	17,260
7 6	11,569	12,176	12,419	14,621	15,221	15,821	16,421	17,021	17,621
8 7	0	12,362	12,605	14,982	15,582	16,182	16,782	17,382	17,982
9 8	0	12,548	12,791	15,343	15,943	16,543	17,143	17,743	18,343
10 9	0	0	12,977	15,704	16,304	16,904	17,504	18,104	18,704
11 10	0	0	13,163	16,065	16,665	17,265	17,865	18,465	19,065
12 11	0	0	0	16,426	17,026	17,626	18,226	18,826	19,426
13 12	0	0	0	16,787	17,387	17,987	18,587	19,187	19,787
14 13	0	0	0	17,148	17,748	18,348	18,948	19,548	20,148
15 14	0	0	0	0	0	18,709	19,309	19,909	20,509
16 15	0	0	0	0	0	19,070	19,670	20,270	20,870
17 16	0	0	0	0	0	19,431	20,031	20,631	21,231
18 17	0	0	0	0	0	0	0	20,992	21,592
19 18	0	0	0	0	0	0	0	21,353	21,953
20 19	0	0	0	0	0	0	0	21,714	22,314

21 On and after the first day of July, one thousand nine  
 22 hundred eighty-four, each teacher shall receive the amount  
 23 prescribed in the "state minimum salary schedule" as set  
 24 forth in this section, specific additional amounts prescribed  
 25 in this article, and any county supplement in effect in a  
 26 county pursuant to section five-a of this article during the  
 27 contract year.

**§18A-4-3. State minimum annual salary increments for principals and assistant principals.**

1 In addition to any salary increments for principals and  
 2 assistant principals in effect on the first day of January, one  
 3 thousand nine hundred eighty-four, and paid from local  
 4 funds, and in addition to the county schedule in effect for  
 5 teachers, the county board shall pay each principal a  
 6 principal's salary increment and each assistant principal an  
 7 assistant principal's salary increment as prescribed by this  
 8 section commencing on the first day of July, one thousand  
 9 nine hundred eighty-four, from state funds appropriated  
 10 therefor.

11 State funds for this purpose shall be paid within the West  
 12 Virginia public school support plan in accordance with  
 13 article nine-a, chapter eighteen of this code.

14 The salary increment herein for each principal shall be  
 15 determined by multiplying the basic salary for teachers in  
 16 accordance with the classification of certification and of  
 17 training of said principal as prescribed in this article, by the  
 18 appropriate percentage rate prescribed herein according to  
 19 the number of teachers supervised. The salary increment  
 20 herein for each assistant principal shall be determined in  
 21 the same manner as that for principals, utilizing the number  
 22 of teachers supervised by the principal under whose  
 23 direction the assistant principal works, except that the  
 24 percentage rate shall be fifty percent of the rate prescribed  
 25 for said principal.

26 **STATE MINIMUM SALARY INCREMENT RATES**  
 27 **FOR PRINCIPALS AND ASSISTANT PRINCIPALS**

28	No. of Teachers	
29	<b>Supervised</b>	<b>Rates</b>
30	1-5	2%
31	6-20	3%
32	21-35	4%
33	36 and up	5%



34 Salaries for employment beyond the minimum  
35 employment term shall be at the same daily rate as the  
36 salaries for the minimum employment term.

37 For the purpose of determining the number of teachers  
38 supervised by a principal, the county board shall use data  
39 for the second school month of the prior school term and the  
40 number of teachers shall be interpreted to mean the total  
41 number of professional educators assigned to each school  
42 on a full-time equivalency basis: *Provided*, That due to a  
43 change in circumstances because of consolidation or  
44 catastrophe, the county board of education shall determine  
45 what is a reasonable number of supervised teachers in order  
46 to establish the appropriate increment percentage rate.

47 No county shall reduce local funds allocated for salary  
48 increments for principals and assistant principals in effect  
49 on the first day of January, one thousand nine hundred  
50 eighty-four, and used in supplementing the state minimum  
51 salaries as provided for in this article, unless forced to do so  
52 by defeat of a special levy, or a loss in assessed values or  
53 event over which it has no control and for which the county  
54 board has received approval from the state board prior to  
55 making such reduction.

56 Nothing herein shall prevent a county board from  
57 providing, in a uniform manner, salary increments greater  
58 than those required by this section.

**§18A-4-5. Salary equity among the counties; state salary supplement.**

1 To assist the state in meeting its objective of salary equity  
2 among the counties, on and after the first day of July, one  
3 thousand nine hundred eighty-four, subject to available  
4 state appropriations and the conditions set forth herein,  
5 each teacher and school service personnel shall receive a  
6 supplemental amount in addition to the amount from the  
7 state minimum salary schedules provided for in this article.

8 State funds for this purpose shall be paid within the West  
9 Virginia public school support plan in accordance with  
10 article nine-a, chapter eighteen of this code. The amount  
11 allocated for salary equity shall be apportioned between  
12 teachers and school service personnel in direct proportion  
13 to that amount necessary to support the professional  
14 salaries and service personnel salaries statewide under

15 sections four and five, article nine-a, chapter eighteen of  
16 this code: *Provided*, That in making such division an  
17 adequate amount of state equity funds shall be reserved to  
18 finance the appropriate foundation allowances and staffing  
19 incentives provided for in said article nine-a.

20 Pursuant to this section, each teacher and school service  
21 personnel shall receive the amount that is the difference  
22 between their authorized state minimum salary and ninety-  
23 five percent of the maximum salary schedules prescribed in  
24 sections five-a and five-b of this article, reduced by any  
25 amount provided by the county as a salary supplement for  
26 teachers and school service personnel on the first day of  
27 January of the fiscal year immediately preceding that in  
28 which the salary equity appropriation is distributed:  
29 *Provided*, That such amount may be reduced  
30 proportionately based upon the amount of funds  
31 appropriated for this purpose.

32 No county may reduce any salary supplement that was in  
33 effect on the first day of January, one thousand nine  
34 hundred eighty-four, except as permitted by sections five-a  
35 and five-b of this article.

**§18A-4-5a. County salary supplements for teachers.**

1 County boards of education in fixing the salaries of  
2 teachers shall use at least the state minimum salaries  
3 established under the provisions of this article. The board  
4 may establish salary schedules which shall be in excess of  
5 the state minimums fixed by this article, such county  
6 schedules to be uniform throughout the county as to the  
7 above stipulated training classifications, experience,  
8 responsibility and other requirements, except that no such  
9 county schedule may exceed one hundred two and one-half  
10 percent of a schedule which incorporates the state  
11 minimum salary for teachers in effect on the first day of  
12 July, one thousand nine hundred eighty-four, and adopts a  
13 supplement which equals the highest supplement provided  
14 by a county on the first day of January, one thousand nine  
15 hundred eighty-four, so as to assist the state in meeting its  
16 objective of salary equity among the counties: *Provided*,  
17 That all teachers in the state shall be entitled to any  
18 increases in the minimum salary schedules established  
19 under the provisions of this article, and when a county

20 schedule changes due to said increase in the state minimum  
21 salary taking effect after the first day of July, one thousand  
22 nine hundred eighty-four, it shall not be deemed to exceed  
23 the maximum salary schedule prescribed herein.

24 Counties may fix higher salaries for teachers placed in  
25 special instructional assignments, for those assigned to or  
26 employed for duties other than regular instructional duties  
27 and for teachers of one-teacher schools, and they may  
28 provide additional compensation for any teacher assigned  
29 duties in addition to his regular instructional duties  
30 wherein such noninstructional duties are not a part of the  
31 scheduled hours of the regular school day. Uniformity also  
32 shall apply to such additional salary increments or  
33 compensation for all persons performing like assignments  
34 and duties within the county: *Provided*, That in  
35 establishing such local salary schedules, no county shall  
36 reduce local funds allocated for salaries in effect on the first  
37 day of January, one thousand nine hundred and eighty-  
38 four, and used in supplementing the state minimum salaries  
39 as provided for in this article, unless forced to do so by  
40 defeat of a special levy, or a loss in assessed values, or events  
41 over which it has no control and for which the county board  
42 has received approval from the state board prior to making  
43 such reduction.

44 Counties may provide, in a uniform manner, benefits for  
45 teachers which require an appropriation from local funds  
46 including, but not limited to dental, optical, health and  
47 income protection insurance, vacation time and retirement  
48 plans excluding the state teachers retirement system:  
49 *Provided*, That no county may expend per teacher an  
50 amount which exceeds one hundred twelve percent of the  
51 amount expended by the county having the highest  
52 expenditure per teacher on January one, one thousand nine  
53 hundred eighty-four, unless such excessive amount is  
54 approved by the state board of education to allow for an  
55 inflation factor to maintain or obtain a comparable benefit  
56 or a higher per unit rate among smaller groups. The state  
57 board shall determine what benefits are authorized by this  
58 section and whether any county's expenditure per teacher  
59 exceeds the maximum prescribed by this section, so as to  
60 assist the state in meeting its objective of benefit equity  
61 among the counties. Nothing herein shall prohibit the

62 maintenance nor result in the reduction of any benefits in  
63 effect on January one, one thousand nine hundred eighty-  
64 four, by any county board of education.

65 To further assist the state in meeting such objective, each  
66 county board of education shall provide to the state board  
67 of education on or before the first day of November, one  
68 thousand nine hundred eighty-four, such information as  
69 the state board directs to assist the state superintendent of  
70 schools in preparing a report to be submitted to the  
71 Legislature on the first day of the regular session thereof in  
72 the year one thousand nine hundred eighty-five. Such  
73 report shall include findings, conclusions, and  
74 recommendations with respect to benefits provided and  
75 meeting the objective of benefit equity among the counties.

**§18-4-5b. County salary supplements for school service  
personnel.**

1 The county board of education may establish salary  
2 schedules which shall be in excess of the state minimums  
3 fixed by this article, except that no such schedule may  
4 exceed one hundred two and one-half percent of a schedule  
5 which incorporates the state minimum salary for school  
6 service personnel in effect on the first day of July, one  
7 thousand nine hundred eighty-four, and adopts a monthly  
8 supplement of two hundred and five dollars for zero years of  
9 experience for all pay grades and which increases said  
10 monthly supplement by two dollars for each year of  
11 experience codified for school service personnel in this  
12 article, so as to assist the state in meeting its objective of  
13 salary equity among the counties: *Provided*, That all service  
14 personnel in the state shall be entitled to any increase in the  
15 minimum salary for school service personnel established  
16 under the provisions of this article, and when a county  
17 schedule changes due to said increase in the state minimum  
18 salary taking effect after the first day of July, one thousand  
19 nine hundred eighty-four, it shall not be deemed to exceed  
20 the maximum salary schedule prescribed herein. Any  
21 county supplement for any position which, on the first day  
22 of January, one thousand nine hundred eighty-four,  
23 extends the schedule beyond the maximum prescribed  
24 herein for such position shall be exempt from the  
25 maximums stated herein, subject to the approval of the

26 state board, but no such supplement shall be increased  
27 beyond the amount received on the first day of January, one  
28 thousand nine hundred eighty-four.

29 These county schedules shall be uniform throughout the  
30 county with regard to any training classification,  
31 experience, years of employment, responsibility, duties,  
32 pupil participation, pupil enrollment, size of buildings,  
33 operation of equipment or other requirements. Further,  
34 uniformity shall apply to all salaries, rates of pay, benefits,  
35 increments or compensation for all persons regularly  
36 employed and performing like assignments and duties  
37 within the county: *Provided*, That in establishing such local  
38 salary schedules, no county shall reduce local funds  
39 allocated for salaries in effect on the first day of January,  
40 one thousand nine hundred eighty-four, and used in  
41 supplementing the state minimum salaries as provided for  
42 in this article, unless forced to do so by defeat of a special  
43 levy, or a loss in assessed values, or events over which it has  
44 no control and for which the county board has received  
45 approval from the state board prior to making such  
46 reduction.

47 Counties may provide, in a uniform manner, benefits for  
48 service personnel which require an appropriation from  
49 local funds including, but not limited to dental, optical,  
50 health and income protection insurance, vacation time and  
51 retirement plans excluding the state teachers retirement  
52 system: *Provided*, That no county may expend per school  
53 service personnel an amount which exceeds one hundred  
54 twelve percent of the amount expended by the county  
55 having the highest expenditure per service personnel on  
56 January one, one thousand nine hundred eighty-four,  
57 unless such excessive amount is approved by the state board  
58 of education to allow for an inflation factor to maintain or  
59 obtain a comparable benefit or a higher per unit rate among  
60 smaller groups. The state board shall determine what  
61 benefits are authorized by this section and whether any  
62 county's expenditure per service personnel exceeds the  
63 maximum prescribed by this section, so as to assist the state  
64 in meeting its objective of benefit equity among the  
65 counties. Nothing herein shall prohibit the maintenance  
66 nor result in the reduction of any benefits in effect on  
67 January one, one thousand nine hundred eighty-four, by  
68 any county board of education.

69 To further assist the state in meeting such objective, each  
 70 county board of education shall provide to the state board  
 71 of education on or before the first day of November, one  
 72 thousand nine hundred eighty-four, such information as  
 73 the state board directs to assist the state superintendent of  
 74 schools in preparing a report to be submitted to the  
 75 Legislature on the first day of the regular session thereof in  
 76 the year one thousand nine hundred eighty-five. Such  
 77 report shall include findings, conclusions and  
 78 recommendations with respect to benefits provided and  
 79 meeting the objective of benefit equity among the counties.

**§18A-4-5c. Equity appropriation from surplus revenues.**

1 The first twenty-nine million dollars of surplus funds  
 2 from the state fund, general revenue, that have accrued as of  
 3 the thirtieth day of June, one thousand nine hundred  
 4 eighty-four, shall be appropriated and shall be expended  
 5 during fiscal year one thousand nine hundred eighty-four—  
 6 eighty-five in accordance with section five of this article,  
 7 subject to the terms and conditions set forth in this section  
 8 and in said section five.

9 In the event that the surplus revenues as of the thirtieth  
 10 day of June, one thousand nine hundred eighty-four, are not  
 11 sufficient to meet all of the appropriation mandated by this  
 12 section, then the appropriation shall be available only to the  
 13 extent of the total actual surplus accrued as of said date.

**§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,  
 4 a month being defined as twenty employment days:  
 5 *Provided*, That the county board of education may contract  
 6 with all or part of these personnel for a longer term. The  
 7 beginning and closing dates of the ten-month term shall not  
 8 exceed forty-three weeks. Service personnel employed on a  
 9 yearly or twelve-month basis may be employed by calendar  
 10 months. Whenever there is a change in job assignment  
 11 during the school year, the minimum pay scale and any  
 12 county 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  
16 not 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  
20 and no part of any working day may be accumulated by the  
21 employer for future work assignments, unless the employee  
22 agrees thereto.

23 Should an employee whose regular work week is  
24 scheduled from Monday through Friday agree to perform  
25 any work assignments on a Saturday or Sunday, the  
26 employee shall be paid for at least one-half day of work for  
27 each such day he reports for work, and if the employee  
28 works more than three and one-half hours on any Saturday  
29 or Sunday, he shall be paid for at least a full day of work for  
30 each such day.

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

37 Upon the change in classification or upon meeting the  
38 requirements of an advanced classification of or by any  
39 employee, his salary shall be made to comply with the  
40 requirements of this article, and to any county salary  
41 schedule in excess of the minimum requirements of this  
42 article, based upon his advanced classification and  
43 allowable years of employment.

44 An employee's contract as provided in sections four and  
45 five, article two of this chapter shall state the appropriate  
46 monthly salary the employee is to be paid, based on the class  
47 title as provided in this article and any county salary  
48 schedule in excess of the minimum requirements of this  
49 article.

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

53 "Pay grade" means the monthly salary applicable to class  
54 titles of service personnel.

55 "Years of employment" means the number of years which  
56 an employee classified as service personnel has been  
57 employed by a board of education in any position prior to or  
58 subsequent to the effective date of this section and  
59 including service in the armed forces of the United States if  
60 the employee were employed at the time of his induction.  
61 For the purpose of section eight-a of this article, years of  
62 employment shall be limited to the number of years shown  
63 and allowed under the state minimum pay scale as set forth  
64 in section eight-a of this article.

65 "Class title" means the name of the position or job held by  
66 service personnel.

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

70 "Accountant II" means personnel employed to maintain  
71 accounting records and to be responsible for the accounting  
72 process associated with billing, budgets, purchasing and  
73 related operations.

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

77 "Aide I" means those personnel selected and trained for  
78 teacher-aid classifications such as monitor aide, clerical  
79 aide, classroom aide or general aide.

80 "Aide II" means those personnel referred to in the "Aide  
81 I" classification who have completed a training program  
82 approved by the state board of education, or who hold a  
83 high school diploma or have received a general educational  
84 development certificate. Only personnel classified in an  
85 Aide II class title shall be employed as an aide in any special  
86 education program.

87 "Aide III" means those personnel referred to in the "Aide  
88 I" classification who hold a high school diploma or a  
89 general educational development certificate and have  
90 completed six semester hours of college credit at an  
91 institution of higher education or are employed as an aide in  
92 a special education program and have one year's experience  
93 as an aide in special education.

94 "Aide IV" means personnel referred to in the "Aide I"  
95 classification who hold a high school diploma or a general  
96 educational development certificate and who have



97 completed eighteen hours of state board-approved college  
98 credit at a regionally accredited institution of higher  
99 education, or who have completed fifteen hours of state  
100 board-approved college credit at a regionally accredited  
101 institution of higher education and successfully completed  
102 an inservice training program determined by the state  
103 board to be the equivalent of three hours of college credit.

104 "Audiovisual technician" means personnel employed to  
105 perform minor maintenance on audiovisual equipment,  
106 films, supplies and the filling of requests for equipment.

107 "Auditor" means personnel employed to examine and  
108 verify accounts of individual schools and to assist schools  
109 and school personnel in maintaining complete and accurate  
110 records of their accounts.

111 "Bus operator" means personnel employed to operate  
112 school buses and other school transportation vehicles as  
113 provided by the state board of education.

114 "Buyer" means personnel employed to review and write  
115 specifications, negotiate purchase bids and recommend  
116 purchase agreements for materials and services that meet  
117 predetermined specifications at the lowest available costs.

118 "Cabinetmaker" means personnel employed to construct  
119 cabinets, tables, bookcases and other furniture.

120 "Cafeteria manager" means personnel employed to direct  
121 the operation of a food services program in a school,  
122 including assigning duties to employees, approving  
123 requisitions for supplies and repairs, keeping inventories,  
124 inspecting areas to maintain high standards of sanitation,  
125 preparing financial reports and keeping records pertinent  
126 to food services of a school.

127 "Carpenter I" means personnel classified as a carpenter's  
128 helper.

129 "Carpenter II" means personnel classified as a  
130 journeyman carpenter.

131 "Chief mechanic" means personnel employed to be  
132 responsible for directing activities which ensure that  
133 student transportation or other board-owned vehicles are  
134 properly and safely maintained.

135 "Clerk I" means personnel employed to perform clerical  
136 tasks.

137 "Clerk II" means personnel employed to perform general  
138 clerical tasks, prepare reports and tabulations and operate  
139 office machines.

140 "Computer operator" means qualified personnel  
141 employed to operate computers.

142 "Cook I" means personnel employed as a cook's helper.

143 "Cook II" means personnel employed to interpret menus,  
144 to prepare and serve meals in a food service program of a  
145 school and shall include personnel who have been employed  
146 as a "Cook I" for a period of four years, if such personnel  
147 have not been elevated to this classification within that  
148 period of time.

149 "Cook III" means personnel employed to prepare and  
150 serve meals, make reports, prepare requisitions for  
151 supplies, order equipment and repairs for a food service  
152 program of a school system.

153 "Crew leader" means personnel employed to organize the  
154 work for a crew of maintenance employees to carry out  
155 assigned projects.

156 "Custodian I" means personnel employed to keep  
157 buildings clean and free of refuse.

158 "Custodian II" means personnel employed as a watchman  
159 or groundsman.

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

163 "Custodian IV" means personnel employed as head  
164 custodians. In addition to providing services as defined in  
165 "Custodian III," their duties may include supervising other  
166 custodian personnel.

167 "Director or coordinator of services" means personnel  
168 not defined as professional personnel or professional  
169 educators in section one, article one of this chapter, who are  
170 assigned to direct a department or division.

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

173 "Electrician I" means personnel employed as an  
174 apprentice electrician helper or who holds an electrician  
175 helper license issued by the state fire marshal.

176 "Electrician II" means personnel employed as an  
177 electrician journeyman or who holds a journeyman  
178 electrician license issued by the state fire marshal.

179 "Electronic technician I" means personnel employed at  
180 the apprentice level to repair and maintain electronic  
181 equipment.

182 "Electronic technician II" means personnel employed at  
183 the journeyman level to repair and maintain electronic  
184 equipment.

185 "Executive secretary" means personnel employed as the  
186 county school superintendent's secretary or as a secretary  
187 who is assigned to a position characterized by significant  
188 administrative duties.

189 "Foods services supervisor" means qualified personnel  
190 not defined as professional personnel or professional  
191 educators as in section one, article one of this chapter,  
192 employed to manage and supervise a county school system's  
193 food service program. The duties would include preparing  
194 in-service training programs for cooks and food service  
195 employees, instructing personnel in the areas of quantity  
196 cooking with economy and efficiency, and keeping  
197 aggregate records and reports.

198 "Foreman" means skilled persons employed for  
199 supervision of personnel who work in the areas of repair  
200 and maintenance of school property and equipment.

201 "General maintenance" means personnel employed as  
202 helpers to skilled maintenance employees and to perform  
203 minor repairs to equipment and buildings of a county  
204 school system.

205 "Glazier" means personnel employed to replace glass or  
206 other materials in windows and doors and to do minor  
207 carpentry tasks.

208 "Graphic artist" means personnel employed to prepare  
209 graphic illustrations.

210 "Groundsman" means personnel employed to perform  
211 duties that relate to the appearance, repair and general care  
212 of school grounds in a county school system. Additional  
213 assignments may include the operation of a small heating  
214 plant and routine cleaning duties in buildings.

215 "Handyman" means personnel employed to perform  
216 routine manual tasks in any operation of the county school  
217 system.

218 "Heating and air conditioning mechanic I" means  
219 personnel employed at the apprentice level to install, repair  
220 and maintain heating and air conditioning plants and  
221 related electrical equipment.

222 "Heating and air conditioning mechanic II" means  
223 personnel employed at the journeyman level to install,

224 repair and maintain heating and air conditioning plants  
225 and related electrical equipment.

226 "Heavy equipment operator" means personnel employed  
227 to operate heavy equipment.

228 "Inventory supervisor" means personnel who are  
229 employed to supervise or maintain operations in the receipt,  
230 storage, inventory and issuance of materials and supplies.

231 "Key punch operator" means qualified personnel  
232 employed to operate key punch machines or verifying  
233 machines.

234 "Locksmith" means personnel employed to repair and  
235 maintain locks and safes.

236 "Lubrication man" means personnel employed to  
237 lubricate and service gasoline or diesel-powered equipment  
238 of a county school system.

239 "Machinist" means personnel employed to perform  
240 machinist tasks which include the ability to operate a lathe,  
241 planer, shaper, threading machine and wheel press. Such  
242 personnel should also have ability to work from blueprints  
243 and drawings.

244 "Mail clerk" means personnel employed to receive, sort,  
245 dispatch, deliver or otherwise handle letters, parcels and  
246 other mail.

247 "Maintenance clerk" means personnel employed to  
248 maintain and control a stocking facility to keep adequate  
249 tools and supplies on hand for daily withdrawal for all  
250 school maintenance crafts.

251 "Mason" means personnel employed to perform tasks  
252 connected with brick and block laying and carpentry tasks  
253 related to such laying.

254 "Mechanic" means personnel employed who can  
255 independently perform skilled duties in the maintenance  
256 and repair of automobiles, school buses and other  
257 mechanical and mobile equipment to use in a county school  
258 system.

259 "Mechanic assistant" means personnel employed as a  
260 mechanic apprentice and helper.

261 "Office equipment repairman I" means personnel  
262 employed as an office equipment repairman apprentice or  
263 helper.

264 "Office equipment repairman II" means personnel  
265 responsible for servicing and repairing all office machines

266 and equipment. Personnel shall be responsible for parts  
267 being purchased necessary for the proper operation of a  
268 program of continuous maintenance and repair.

269 "Painter" means personnel employed to perform duties of  
270 painting, finishing and decorating of wood, metal and  
271 concrete surfaces of buildings, other structures, equipment,  
272 machinery and furnishings of a county school system.

273 "Plumber I" means personnel employed as an apprentice  
274 plumber and helper.

275 "Plumber II" means personnel employed as a journeyman  
276 plumber.

277 "Printing operator" means personnel employed to  
278 operate duplication equipment, and as required to cut,  
279 collate, staple, bind and shelve materials.

280 "Printing supervisor" means personnel employed to  
281 supervise the operation of a print shop.

282 "Programmer" means personnel employed to design and  
283 prepare programs for computer operation.

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

287 "Sanitation plant operator" means personnel employed  
288 to operate and maintain a water or sewage treatment plant  
289 to ensure the safety of the plant's effluent for human  
290 consumption or environmental protection.

291 "School bus supervisor" means qualified personnel  
292 employed to assist in selecting school bus operators and  
293 routing and scheduling of school buses, operate a bus when  
294 needed, relay instructions to bus operators, plan emergency  
295 routing of buses and promoting good relationships with  
296 parents, pupils, bus operators and other employees.

297 "Secretary I" means personnel employed to transcribe  
298 from notes or mechanical equipment, receive callers,  
299 perform clerical tasks, prepare reports and operate office  
300 machines.

301 "Secretary II" means personnel employed in any  
302 elementary, secondary, kindergarten, nursery, special  
303 education, vocational or any other school as a secretary. The  
304 duties may include performing general clerical tasks,  
305 transcribing from notes or stenotype or mechanical  
306 equipment or a sound-producing machine, preparing  
307 reports, receiving callers and referring them to proper

308 persons, operating office machines, keeping records and  
309 handling routine correspondence. There is nothing implied  
310 herein that would prevent such employees from holding or  
311 being elevated to a higher classification.

312 "Secretary III" means personnel assigned to the county  
313 board of education office administrators in charge of  
314 various instructional, maintenance, transportation, food  
315 services, operations and health departments, federal  
316 programs or departments with particular responsibilities of  
317 purchasing and financial control or any personnel who have  
318 served in a position which meets the definition of "secretary  
319 II" herein for twelve continuous years.

320 "Supervisor of maintenance" means skilled personnel  
321 not defined as professional personnel or professional  
322 educators as in section one, article one of this chapter. His  
323 responsibilities would include directing the upkeep of  
324 buildings and shops, issuing instructions to subordinates  
325 relating to cleaning, repairs and maintenance of all  
326 structures, mechanical and electrical equipment of a board  
327 of education.

328 "Supervisor of transportation" means qualified  
329 personnel employed to direct school transportation  
330 activities, properly and safely, and to supervise the  
331 maintenance and repair of vehicles, buses and other  
332 mechanical and mobile equipment used by the county  
333 school system.

334 "Switchboard operator-receptionist" means personnel  
335 employed to refer incoming calls, to assume contact with  
336 the public, to direct and to give instructions as necessary, to  
337 operate switchboard equipment and to provide clerical  
338 assistance.

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

341 "Warehouse clerk" means personnel employed to be  
342 responsible for receiving, storing, packing and shipping  
343 goods.

344 "Watchman" means personnel employed to protect  
345 school property against damage or theft. Additional  
346 assignments may include operation of a small heating plant  
347 and routine cleaning duties.

348 "Welder" means personnel employed to provide  
349 acetylene or electrical welding services for a school system.

350 In addition to the compensation provided for in section  
351 eight-a of this article, for service personnel, each service  
352 employee shall, notwithstanding any provisions in this code  
353 to the contrary, be entitled to all service personnel employee  
354 rights, privileges and benefits provided under this or any  
355 other chapter of this code without regard to such  
356 employee's hours of employment or the methods or sources  
357 of compensation.

358 Service personnel whose years of employment exceed the  
359 number of years shown and provided for under the state  
360 minimum pay scale set forth in section eight-a of this  
361 article, may not be paid less than the amount shown for the  
362 maximum years of employment shown and provided for in  
363 the classification in which he is employed.

364 The county boards shall review each service personnel  
365 employee job classification annually and shall reclassify all  
366 service employees as required by such job classifications.  
367 The state superintendent of schools is hereby authorized to  
368 withhold state funds appropriated pursuant to this article  
369 for salaries for service personnel who are improperly  
370 classified by such county boards. Further, he shall order  
371 county boards to correct immediately any improper  
372 classification matter and with the assistance of the attorney  
373 general shall take any legal action necessary against any  
374 county board to enforce such order.

375 The state board of education is authorized to establish  
376 other class titles of service personnel positions and jobs not  
377 listed in this section. The state board of education is further  
378 authorized to provide appropriate pay grades for such  
379 positions and jobs but pay shall be established within the  
380 minimum salary scale in section eight-a of this article.

381 No service employee, without his written consent, may be  
382 reclassified by class title, nor may a service employee,  
383 without his written consent, be relegated to any condition  
384 of employment which would result in a reduction of his  
385 salary, rate of pay, compensation or benefits earned during  
386 the current fiscal year or which would result in a reduction  
387 of his salary, rate of pay, compensation or benefits for  
388 which he would qualify by continuing in the same job  
389 position and classification held during said fiscal year and  
390 subsequent years.

391 Any board failing to comply with the provisions of this

392 article may be compelled to do so by mandamus, and shall  
 393 be liable to any party prevailing against the board for court  
 394 costs and his reasonable attorney fee, as determined and  
 395 established by the court.

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

**STATE MINIMUM PAY SCALE PAY GRADE**

Years of Employ- ment		A	B	C	D	E	F	G	H
1	0	718	738	778	828	878	938	968	1,038
2	1	738	758	798	848	898	958	988	1,058
3	2	758	778	818	868	918	978	1,008	1,078
4	3	778	798	838	888	938	998	1,028	1,098
5	4	798	818	858	908	958	1,018	1,048	1,118
6	5	818	838	878	928	978	1,038	1,068	1,138
7	6	838	858	898	948	998	1,058	1,088	1,158
8	7	858	878	918	968	1,018	1,078	1,108	1,178
9	8	878	898	938	988	1,038	1,098	1,128	1,198
10	9	898	918	958	1,008	1,058	1,118	1,148	1,218
11	10	918	938	978	1,028	1,078	1,138	1,168	1,238
12	11	938	958	998	1,048	1,098	1,158	1,188	1,258
13	12	958	978	1,018	1,068	1,118	1,178	1,208	1,278
14	13	978	998	1,038	1,088	1,138	1,198	1,228	1,298
15	14	998	1,018	1,058	1,108	1,158	1,218	1,248	1,318
16	15	1,018	1,038	1,078	1,128	1,178	1,238	1,268	1,338
17	16	1,038	1,058	1,098	1,148	1,198	1,258	1,288	1,358
18	17	1,058	1,078	1,118	1,168	1,218	1,278	1,308	1,378
19	18	1,078	1,098	1,138	1,188	1,238	1,298	1,328	1,398
20	19	1,098	1,118	1,158	1,208	1,258	1,318	1,348	1,418
21	20	1,118	1,138	1,178	1,228	1,278	1,338	1,368	1,438

	CLASS TITLE	PAY GRADE
22	Accountant I .....	D
23	Accountant II .....	E
24	Accountant III .....	F
25	Aide I .....	A
26	Aide II .....	B
27	Aide III .....	C
28	Aide IV .....	D
29	Audiovisual Technician .....	C
30	Auditor .....	G



31	Bus Operator.....	D
32	Buyer.....	F
33	Cabinetmaker.....	G
34	Cafeteria Manager.....	D
35	Carpenter I.....	E
36	Carpenter II.....	F
37	Chief Mechanic.....	G
38	Clerk I.....	B
39	Clerk II.....	C
40	Computer Operator.....	E
41	Cook I.....	A
42	Cook II.....	B
43	Cook III.....	C
44	Crew Leader.....	F
45	Custodian I.....	A
46	Custodian II.....	B
47	Custodian III.....	C
48	Custodian IV.....	D
49	Director or Coordinator of Services.....	H
50	Draftsman.....	D
51	Electrician I.....	F
52	Electrician II.....	G
53	Electronic Technician I.....	F
54	Electronic Technician II.....	G
55	Executive Secretary.....	G
56	Food Services Supervisor.....	G
57	Foreman.....	G
58	General Maintenance.....	C
59	Glazier.....	D
60	Graphic Artist.....	D
61	Groundsman.....	B
62	Handyman.....	B
63	Heating and Air Conditioning Mechanic I.....	E
64	Heating and Air Conditioning Mechanic II.....	G
65	Heavy Equipment Operator.....	E
66	Inventory Supervisor.....	D
67	Key Punch Operator.....	B
68	Locksmith.....	G
69	Lubrication Man.....	C
70	Machinist.....	F
71	Mail Clerk.....	D
72	Maintenance Clerk.....	C

73	Mason .....	G
74	Mechanic .....	F
75	Mechanic Assistant .....	E
76	Office Equipment Repairman I .....	F
77	Office Equipment Repairman II .....	G
78	Painter .....	E
79	Plumber I .....	E
80	Plumber II .....	G
81	Printing Operator .....	B
82	Printing Supervisor .....	D
83	Programmer .....	H
84	Roofing/Sheet Metal Mechanic .....	F
85	Sanitation Plant Operator .....	F
86	School Bus Supervisor .....	E
87	Secretary I .....	D
88	Secretary II .....	E
89	Secretary III .....	F
90	Supervisor of Maintenance .....	H
91	Supervisor of Transportation .....	H
92	Switchboard Operator-Receptionist .....	D
93	Truck Driver .....	D
94	Warehouse Clerk .....	C
95	Watchman .....	B
96	Welder .....	F
97	On and after the first day of July, one thousand nine	
98	hundred eighty-four, the minimum monthly pay for each	
99	service employee whose employment is for a period of more	
100	than three and one-half hours a day shall be at least the	
101	amounts indicated in the "state minimum pay scale" as set	
102	forth in this section, and the minimum monthly pay for each	
103	service employee whose employment is for a period of three	
104	and one-half hours or less a day shall be at least one half the	
105	amount indicated in the "state minimum pay scale" set	
106	forth in this section.	
107	Any service employee required to work on any legal	
108	school holiday shall be paid at a rate one and one-half times	
109	his usual hourly rate.	

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

  
.....  
Chairman Senate Committee

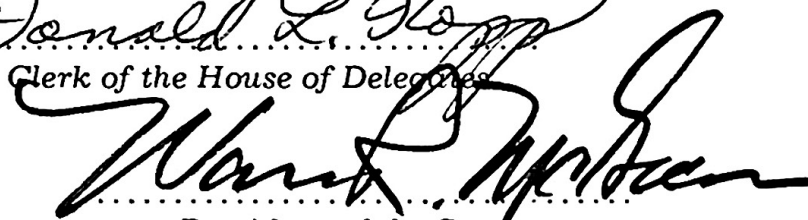
  
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Chairman House Committee

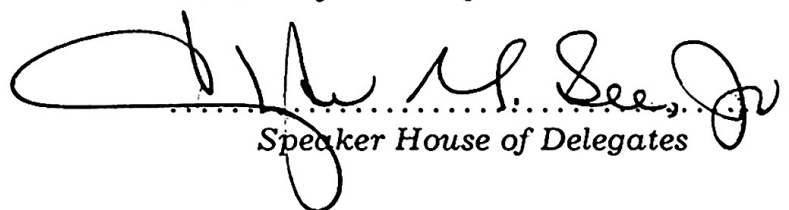
Originated in the Senate.

To take effect July 1, 1984.

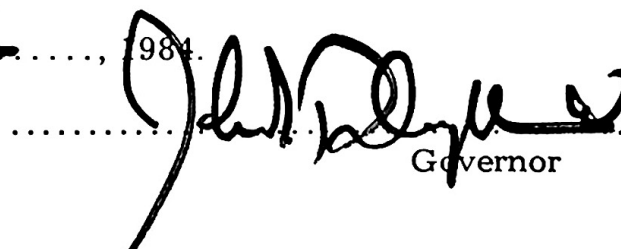
  
.....  
Clerk of the Senate

  
.....  
Clerk of the House of Delegates

  
.....  
President of the Senate

  
.....  
Speaker House of Delegates

The within.....*is signed*.....this the...*26*.....  
day of .....*March*....., 1984.

  
.....  
Governor

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SECY. OF STATE