WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1990

ENROLLED

Comm. Sub. for
HOUSE BILL No. 4560

(By Delegate Long and Ashcroft)

Passed March 10, 1990

In Effect 90 Days from Passage
AN ACT to amend and reenact section one, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to in-field master’s degree generally; revising the definition; establishing the conditions for additional compensation; and providing for availability of course work.

Be it enacted by the Legislature of West Virginia:

That section one, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.

§18A-4-1. Definitions.

1 For the purpose of this section, salaries shall be defined as: (a) “Basic salaries” which shall mean the salaries paid to teachers with zero years of experience and in accordance with the classification of certification and of training of said teachers; and (b) “advanced salaries” which shall mean the basic salary plus an experience increment based on the allowable years of experience of the respective teachers in accordance with
the schedule established herein for the applicable classification of certification and of training of said teachers.

"Classification of certification" means the class or type of certificate issued by the state superintendent of schools under the statutory provisions of this chapter. "Classification of training" means the number of collegiate or graduate hours necessary to meet the requirements stipulated in the definitions set forth in the next paragraph in items (2) to (11), inclusive.

The column heads of the state minimum salary schedule set forth in section two of this article are defined as follows:

(1) "Years of experience" means the number of years the teacher has been employed in the teaching profession, including active work in educational positions other than the public schools, and service in the armed forces of the United States if the teacher was under contract to teach at the time of induction. For a registered professional nurse employed by a county board of education, "years of experience" means the number of years the nurse has been employed as a public school health nurse, including active work in a nursing position related to education, and service in the armed forces if the nurse was under contract with the county board at the time of induction. For the purpose of section two of this article, the experience of a teacher or a nurse shall be limited to that allowed under their training classification as found in the minimum salary schedule.

(2) "Fourth class" means all certificates previously identified as (a) "certificates secured by examination," and (b) "other first grade certificates."

(3) "Third class" means all certificates previously identified as (a) "standard normal certificates" and (b) "third class temporary (sixty-four semester hours) certificates."

(4) "Second class" means all certificates previously identified as "second class temporary certificates based
upon the required ninety-six hours of college work.”

(5) “A.B.” means a bachelor’s degree, from an accredited institution of higher education, which has been issued to, or for which the requirements for such have been met by, a person who qualifies for or holds a professional certificate or its equivalent. A registered professional nurse with a bachelor’s degree, who is licensed by the West Virginia board of examiners for registered professional nurses and employed by a county board of education, shall be within this classification for payment in accordance with sections two and two-a of this article.

(6) “A.B. plus 15” means a bachelor’s degree as defined above plus fifteen hours of graduate work, from an accredited institution of higher education certified to do graduate work, in an approved planned program at the graduate level which requirements have been met by a person who qualifies for or holds a professional certificate or its equivalent.

(7) “M.A.” means a master’s degree, earned in an institution of higher education approved to do graduate work, which has been issued to, or the requirements for such have been met by, a person who qualifies for or holds a professional certificate or its equivalent.

(8) “M.A. plus 15” means the above-defined master’s degree plus fifteen hours of graduate work, earned in an institution of higher education approved to do graduate work, if the person is qualified for or holds a professional certificate or its equivalent.

(9) “M.A. plus 30” means the above-defined master’s degree plus thirty graduate hours, earned in an institution approved to do graduate work, if the person is qualified for or holds a professional certificate or its equivalent.

(10) “Doctorate” means a doctor’s degree, earned from a university qualified and approved to confer such a degree, which has been issued to or the requirements for such have been met by a person who qualifies for or holds a professional certificate or its equivalent.
(11) "In-field master's" means the above-defined master's degree and one of the following:

a) twenty-four (24) semester hours of post baccalaureate graduate credit, within or external to the advanced degree, confined to one specialization completed at the undergraduate level on the educator's professional certificate or its equivalent, or

b) a master's degree earned prior to the first day of July, one thousand nine hundred ninety-four, in (i) a program specialization completed at the undergraduate level, or (ii) a state approved subarea of the specialization which is consistent with a specialization, completed at the undergraduate level, on the educator's professional certificate or its equivalent, or

c) twelve (12) semester hours of graduate credit above and beyond the course work completed for the endorsement recognized for in-field master's classification only if the course work for the endorsement was also completed at the graduate level: Provided, That in certification areas where the total course work requirements for initial certification exceed the minimum required for in-field classification, the state department of education may by rule establish exceptions.

Notwithstanding the requirements set forth in subdivisions (6), (8) and (9) of this section relating to hours of graduate work at an institution certified to do such work, fifteen undergraduate credit hours from a regionally accredited institution of higher education, earned after the effective date of this section, may be utilized for advanced salary classification if such hours are in accordance with (a) the teacher's current classification of certification and of training, (b) a designated instructional shortage area documented by the employing county superintendent, or (c) an identified teaching deficiency documented through the state approved county personnel evaluation system.

In-field master's compensation is contingent upon recognition of the in-field master's classification and the educator's assignment. The West Virginia Board of Education shall establish regulations for the administra-
tion and implementation of the in-field master's salary
schedule.

Only those professional educators who are assigned to
teach, for a minimum of fifty (50) percent of the
instructional day, subjects which are consistent with the
endorsement(s) recognized as meeting the in-field
master's classification shall be eligible for compensation
based on the in-field master's schedule. If scheduling
constraints prevent the educator from being assigned to
endorsements recognized for the in-field master's
classification for a minimum of fifty (50) percent of the
instructional day, the educator may petition the county
board of education for such compensation. After review,
the county board of education shall submit the petition
to the State Department of Education on behalf of the
educator for determination of in-field master's compen-
sation. Such petitions must be filed on an annual basis.

If a professional educator, who was previously
employed in an area recognized for in-field master's
classification, is reassigned to work full-time in an area
not recognized on said educator's certificate for in-field
master's classification as a result of 1) voluntary
reassignment to assist the county in meeting a critical
staffing need or 2) a reduction in force, the educator
may petition the county board of education for continued
payment under the in-field master's salary schedule.
After review, the county board of education shall
petition the state department of education on an annual
basis to continue such payment. In no case shall
approval be granted for more than three years. The
county board of education must provide documentation
to justify each request.

Upon request for a specific master's degree program,
the appropriate governing board of higher education
shall provide all of the course work for a master's degree
program that is designated as in-field for the certifica-
tion area of the professional educator who makes the
request. The course work for such program shall be
initiated no later than two years from the date requested
and shall be provided to the greatest extent feasible
within each regional educational service agency area in
which the request has been made as follows: (1) Via satellite instruction; (2) via public television home instruction; or (3) in a manner prescribed by such governing board. If the governing board fails to initiate the course work within the above time period, an individual shall be compensated at the appropriate level of years of experience on the in-field master's salary schedule whenever the individual has obtained any master's degree related to the public school program.

The appropriate governing board of higher education shall develop a plan to provide "MA" classification programs to professional educators throughout this state by the first day of January, one thousand nine hundred ninety-one, with the objective being to provide course work enabling professional educators to achieve an "MA" degree classification in their teaching field.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick J. Perly
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Donald D. Kopp
Clerk of the House of Delegates

Robert C. Chisholm
Speaker of the House of Delegates

The within is approved this the 31st day of March, 1990.

Aston Cappron
Governor