

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



ENROLLED

Com. Sub. for
HOUSE BILL No. 4560

(By ~~the~~ *Delegates Long + Ashcraft*)



Passed *March 10,* 1990

In Effect *90 Days from* Passage

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COMMITTEE SUBSTITUTE
FOR
H. B. 4560
(By DELEGATES LONG AND ASHCRAFT)

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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
2 defined as: (a) "Basic salaries" which shall mean the
3 salaries paid to teachers with zero years of experience
4 and in accordance with the classification of certification
5 and of training of said teachers; and (b) "advanced
6 salaries" which shall mean the basic salary plus an
7 experience increment based on the allowable years of
8 experience of the respective teachers in accordance with

9 the schedule established herein for the applicable
10 classification of certification and of training of said
11 teachers.

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

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

22 (1) "Years of experience" means the number of years
23 the teacher has been employed in the teaching profes-
24 sion, including active work in educational positions
25 other than the public schools, and service in the armed
26 forces of the United States if the teacher was under
27 contract to teach at the time of induction. For a
28 registered professional nurse employed by a county
29 board of education, "years of experience" means the
30 number of years the nurse has been employed as a
31 public school health nurse, including active work in a
32 nursing position related to education, and service in the
33 armed forces if the nurse was under contract with the
34 county board at the time of induction. For the purpose
35 of section two of this article, the experience of a teacher
36 or a nurse shall be limited to that allowed under their
37 training classification as found in the minimum salary
38 schedule.

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

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

46 (4) "Second class" means all certificates previously
47 identified as "second class temporary certificates based

48 upon the required ninety-six hours of college work.”

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

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

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

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

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

82 (10) “Doctorate” means a doctor’s degree, earned from
83 a university qualified and approved to confer such a
84 degree, which has been issued to or the requirements for
85 such have been met by a person who qualifies for or
86 holds a professional certificate or its equivalent.

87 (11) "In-field master's" means the above-defined
88 master's degree and one of the following:

89 a) twenty-four (24) semester hours of post baccalau-
90 reate graduate credit, within or external to the ad-
91 vanced degree, confined to one specialization completed
92 at the undergraduate level on the educator's professional
93 certificate or its equivalent, or

94 b) a master's degree earned prior to the first day of
95 July, one thousand nine hundred ninety-four, in (i) a
96 program specialization completed at the undergraduate
97 level, or (ii) a state approved subarea of the specializa-
98 tion which is consistent with a specialization, completed
99 at the undergraduate level, on the educator's profes-
100 sional certificate or its equivalent, or

101 c) twelve (12) semester hours of graduate credit above
102 and beyond the course work completed for the endorse-
103 ment recognized for in-field master's classification only
104 if the course work for the endorsement was also
105 completed at the graduate level: *Provided*, That in
106 certification areas where the total course work require-
107 ments for initial certification exceed the minimum
108 required for in-field classification, the state department
109 of education may by rule establish exceptions.

110 Notwithstanding the requirements set forth in subdi-
111 visions (6), (8) and (9) of this section relating to hours
112 of graduate work at an institution certified to do such
113 work, fifteen undergraduate credit hours from a
114 regionally accredited institution of higher education,
115 earned after the effective date of this section, may be
116 utilized for advanced salary classification if such hours
117 are in accordance with (a) the teacher's current
118 classification of certification and of training, (b) a
119 designated instructional shortage area documented by
120 the employing county superintendent, or (c) an identi-
121 fied teaching deficiency documented through the state
122 approved county personnel evaluation system.

123 In-field master's compensation is contingent upon
124 recognition of the in-field master's classification and the
125 educator's assignment. The West Virginia Board of
126 Education shall establish regulations for the administra-

127 tion and implementation of the in-field master's salary
128 schedule.

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

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

159 Upon request for a specific master's degree program,
160 the appropriate governing board of higher education
161 shall provide all of the course work for a master's degree
162 program that is designated as in-field for the certifica-
163 tion area of the professional educator who makes the
164 request. The course work for such program shall be
165 initiated no later than two years from the date requested
166 and shall be provided to the greatest extent feasible
167 within each regional educational service agency area in

168 which the request has been made as follows: (1) Via
169 satellite instruction; (2) via public television home
170 instruction; or (3) in a manner prescribed by such
171 governing board. If the governing board fails to initiate
172 the course work within the above time period, an
173 individual shall be compensated at the appropriate level
174 of years of experience on the in-field master's salary
175 schedule whenever the individual has obtained any
176 master's degree related to the public school program.

177 The appropriate governing board of higher education
178 shall develop a plan to provide "MA" classification
179 programs to professional educators throughout this state
180 by the first day of January, one thousand nine hundred
181 ninety-one, with the objective being to provide course
182 work enabling professional educators to achieve an
183 "MA" degree classification in their teaching field.

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

Frederick Z. Perry
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Samuel Estabrook
Clerk of the Senate

Donald G. Kopp
Clerk of the House of Delegates

Keith Sundette
President of the Senate

Paul Chubb
Speaker of the House of Delegates

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

Caston Caperton
Governor

PRESENTED TO THE

GOVERNOR

Date 3/27/90

Time 4:52 pm