WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1991

ENROLLED
Com. Sub. for Com. Sub. for
SENATE BILL NO. 178
(Originating in the Committee
on Finance)

PASSED March 9, 1991
In Effect July 1, 1991
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 specifying the date after which certain graduate work will qualify for advanced salary classification; eliminating the petition requirement for receiving advanced salary classification; providing for an additional exception to continue receiving in-field pay; defining in-field classification; requiring certain individuals who complete a master's degree prior to a certain date to take additional hours in certain instances; specifying when certain individuals who complete a master's degree subsequent to a certain date must take additional course work; requiring no additional course work in certain instances; specifying exceptions to the total course work requirements; defining certain master's programs for qualifying for in-field classification; redefining in-field master's; and defining M.A. + 45, in-field M.A. + 45 and in-field doctorate.
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.

For the purpose of this article, 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 (16), 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 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
(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.

For purposes of advanced salary classification graduate work completed after the first day of July, one thousand nine hundred ninety-four, shall be related to the public school program, as prescribed by the state board of education.

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 classification compensation is contingent upon recognition of the in-field classification and the educator's assignment. The West Virginia board of education shall establish regulations for the adminis-
tion and implementation of the in-field classification salary schedule.

Only those professional educators whose assignments, for a minimum of fifty (50) percent of the instructional day, are consistent with the endorsement(s) recognized as meeting the in-field classification shall be eligible for compensation based on the in-field classification schedule. If scheduling constraints prevent the educator from being assigned to endorsements recognized for the in-field classification for a minimum of fifty (50) percent of the instructional day, the educator shall receive such compensation.

If a professional educator, who was previously employed in an area recognized for in-field classification, is reassigned to work full time in an area not recognized on said educator's certificate for in-field classification as a result of: (1) Voluntary reassignment to assist the county in meeting a critical staffing need; (2) a reduction in force; or (3) placement on the transfer list in accordance with and pursuant to section seven, article two, chapter eighteen-a, any of which continues to prevent the educator from being assigned to an in-field area designated on the educator's certificate, then the educator shall continue to receive payment under the in-field classification salary schedule.

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 certification 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 classification 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 "M.A." 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 "M.A." degree classification in their field of assignment.

Effective the first day of July, one thousand nine hundred ninety-two, the following definitions shall be applicable and the preceding definitions numbered (8) and (9) shall be renumbered (9) and (11), respectively, and the preceding definition (10) shall be reconstituted in definition (15).

"In-field classification" means the above-defined master's degree and one of the following:

(a) For individuals who complete a master's degree after the first day of July, one thousand ninety-two, 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;

(b) For individuals who complete a master's degree before the first day of July, one thousand ninety-two, eighteen (18) 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;

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

(d) For the individuals who complete a master's degree after the first day of July, one thousand nine hundred ninety-two, twelve (12) semester hours of graduate credit above and beyond the course work completed for the endorsement recognized for in-field classification only if the course work for the endorsement was also completed at the graduate level;

(e) For individuals who complete a master's degree before the first day of July, one thousand nine hundred ninety-two, nine (9) semester hours of graduate credit above and beyond the course work completed for the endorsement recognized for in-field classification only if the course work for the endorsement was also completed at the graduate level: Provided, That in certification areas identified in (d) and (e) of this section 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;

(f) For classroom teachers who complete a master's degree program leading to initial certification and who are assigned to that certification area for a minimum of fifty percent of the instructional day, no additional course work shall be required; or

(g) A master's degree earned in education administration, guidance counseling, special education or speech communications even if the classroom teacher's assignment is not consistent with the endorsement: Provided, That special education classroom teachers must have at least five years teaching experience in special education to qualify under this subsection.

(8) In-field master's means the above-defined master's degree including recognition of an above-defined in-field classification, 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.
(10) "In-field M.A. plus 15" means the above-defined M.A. plus 15 including recognition of an above-defined in-field classification, 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.

(12) "In-field M.A. plus 30" means the above-defined M.A. plus 30 including recognition of an above-defined in-field classification, 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.

Effective the first day of July, one thousand nine hundred ninety-four, the following definition shall be applicable and the preceding definition of "doctorate" shall be reconstituted in definition (15).

(13) "M.A. plus 45" means the above-defined master's degree plus forty-five 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.

(14) "In-field M.A. plus 45" means the above-defined M.A. plus 45 including recognition of an above-defined in-field classification 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.

(16) "In-field doctorate" means the above-defined doctor's degree, including recognition of an above-defined in-field classification, 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.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

__Lomer Fleck__
Chairman Senate Committee

__Ernest R. Moore__
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1991.

__Clerk of the Senate__

__Clerk of the House of Delegates__

__President of the Senate__

__Speaker House of Delegates__

The within message was this the ___ day of ____________, 1991.

__Winston Caperton__
Governor