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SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992



# ENROLLED

HOUSE BILL No. 4753

(By Delegates P. WHITE AND BROWNING)



Passed MARCH 7, 1992

In Effect July 1, 1992 ~~Passage~~

**ENROLLED**  
**H. B. 4753**

(By DELEGATES P. WHITE AND BROWNING)

[Passed March 7, 1992; in effect July 1, 1992.]

AN ACT to amend and reenact sections five-b and five-c, article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend article nine-a of said chapter by adding thereto a new section, designated section three-a; to amend and reenact sections four, ten and twelve of said article; and to amend and reenact sections one and two, article four, chapter eighteen-a, all relating to county boards of education; requiring the state board to appoint a school health services advisory committee to address the needs of medicaid eligible children; providing for the composition of the advisory committee and authorizing reimbursement of certain expenses; requiring first time public school enrollees to present a copy of the pupil's original birth record certified by vital statistics registrar; relating to setting the total state basic foundation program and foundation allowance for regional educational service agencies for the next fiscal year; prohibiting a county from being penalized if its enrollment increases in certain instances; reallocating certain step seven funds; providing adjustment to the allocated state aid share for counties under court order to refund prior year taxes, unable to collect property tax while court proceedings are pending or where values levied upon are less than those calculated under a certain code section; relating to eliminating in-field masters program; and setting state minimum salaries

for teachers with masters or above degrees effective on a date certain.

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

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

## CHAPTER 18. EDUCATION.

### ARTICLE 2. STATE BOARD OF EDUCATION.

#### §18-2-5b. Medicaid eligible children; school health services advisory committee.

1 (a) The state board shall become a medicaid provider  
2 and seek out medicaid eligible students for the purpose  
3 of providing medicaid and related services to students  
4 eligible under the medicaid program and to maximize  
5 federal reimbursement for all services available under  
6 the Omnibus Budget Reconciliation Act of one thousand  
7 nine hundred eighty-nine, as it relates to medicaid  
8 expansion and any future expansions in the medicaid  
9 program for medicaid and related services for which  
10 state dollars are or will be expended: *Provided*, That the  
11 state board may delegate this provider status and  
12 subsequent reimbursement to regional educational  
13 service agencies (RESA) and/or county boards: *Pro-*  
14 *vided, however*, That annually the state board shall  
15 report to the Legislature the number and age of children  
16 eligible for medicaid, the number and age of children  
17 with medicaid coverage, the types of medicaid eligible  
18 services provided, the frequency of services provided,  
19 the medicaid dollars reimbursed; and the problems  
20 encountered in the implementation of this system and  
21 that this report shall be on a county by county basis and  
22 made available no later than the first day of January,  
23 one thousand nine hundred ninety-two, and annually  
24 thereafter.

25 (b) The state board shall appoint and convene a school  
26 health services advisory committee to advise the  
27 secretary of health and human resources and the state  
28 superintendent on ways to improve the ability of  
29 regional education service agencies, local school boards,  
30 and department of health and human resources em-  
31 ployees to provide medicaid eligible children with all the  
32 school-based medicaid services for which they are  
33 eligible and to ensure that the school-based medicaid  
34 service providers bill for and receive all the medicaid  
35 reimbursement to which they are entitled. The commit-  
36 tee shall consist of at least the following individuals: the  
37 person within the department of education responsible  
38 for coordinating the provision of and billing for school-  
39 based medicaid services in schools throughout the state,  
40 who shall provide secretarial, administrative and  
41 technical support to the advisory committee; the person  
42 within the department of health and human resources  
43 responsible for coordinating the enrollment of medicaid  
44 eligible school children throughout the state; two  
45 representatives of regional education services agencies  
46 who are experienced with the process of billing medi-  
47 caid for school-based health services; two department of  
48 health and human resources employees responsible for  
49 supervising employees, two persons jointly appointed by  
50 the secretary of health and human resources and the  
51 state superintendent; and one representative of the  
52 governor's task force on school health.

53 The school health services advisory committee shall  
54 meet in the first instance at the direction of the state  
55 superintendent, select a chairperson from among its  
56 members, and meet thereafter at the direction of the  
57 chairperson. The committee shall report its findings and  
58 recommendations to the state board and department of  
59 health and human resources which findings shall then  
60 be included in the report to the Legislature by the state  
61 board and department of health and human resources  
62 provided for in subsection (a) of this section.

63 All actual and necessary travel expenses of the  
64 members of the committee shall be reimbursed by the  
65 member's employing agency, for those members not

66 employed by a state agency, the member's actual and  
67 necessary travel expenses shall be paid by the state  
68 board. All such expenses shall be reimbursed in the  
69 same manner as the expenses of state employees are  
70 reimbursed.

**§18-2-5c. Birth certificate required upon admission to  
public school; required notice to local law-  
enforcement agency of missing children.**

1 (a) No pupil shall be admitted for the first time to any  
2 public school in this state unless the person enrolling the  
3 pupil presents a copy of the pupil's original birth record  
4 certified by the state registrar of vital statistics  
5 confirming the pupil's identity, age, and state file  
6 number of the original birth record. If a certified copy  
7 of the pupil's birth record cannot be obtained, the person  
8 so enrolling the pupil shall submit an affidavit explain-  
9 ing the inability to produce a certified copy of the birth  
10 record: *Provided*, That if any person submitting such  
11 affidavit is in U.S. military service and is in transit due  
12 to military orders, a three week extension shall be  
13 granted to such person for providing the birth records.

14 (b) Upon the failure of any person enrolling a pupil  
15 to furnish a certified copy of the pupil's birth record in  
16 conformance with subsection (a) above, the principal of  
17 the school in which the pupil is being enrolled or his  
18 designee shall immediately notify the local law-enforce-  
19 ment agency. The notice to the local law-enforcement  
20 agency shall include copies of the submitted proof of the  
21 pupil's identity and age and the affidavit explaining the  
22 inability to produce a certified copy of the birth record.

23 (c) Within fourteen days after enrolling a transferred  
24 pupil, the principal of the school in which the pupil has  
25 been enrolled or his designee shall request that the  
26 principal or his designee of the school in which the pupil  
27 was previously enrolled transfer a certified copy of the  
28 pupil's birth record.

29 (d) Principals and their designees shall be immune  
30 from any civil or criminal liability in connection with  
31 any notice to a local law-enforcement agency of a pupil  
32 lacking a birth certificate or failure to give such notice

33 as required by this section.

ARTICLE 9A. PUBLIC SCHOOL SUPPORT.

**§18-9A-3a. Total state basic foundation program and foundation allowance for regional educational service agencies for fiscal year 1992-93 only.**

1 (a) Notwithstanding any other provisions of this  
2 article to the contrary, the total basic foundation  
3 program for the state for the fiscal year one thousand  
4 nine hundred ninety-two—ninety-three shall be the sum  
5 of the amounts computed in accordance with this  
6 section, less the county's local share:

7 (1) Allowance for professional educators as deter-  
8 mined in accordance with sections four and five-a of this  
9 article;

10 (2) Allowance for service personnel as determined in  
11 accordance with sections five and five-a of this article;

12 (3) Allowance for fixed charges as determined in  
13 accordance with the provisions of sections six and six-  
14 a of this article;

15 (4) Allowance for transportation cost in an amount at  
16 least equal to the appropriation for such allowance in  
17 the fiscal year one thousand nine hundred ninety-one—  
18 ninety-two;

19 (5) Allowance for administrative cost in accordance  
20 with the provisions of section eight of this article;

21 (6) Allowance for other current expense and substitute  
22 employees in an amount at least equal to the appropri-  
23 ation for such allowance in the fiscal year one thousand  
24 nine hundred ninety-one—ninety-two; and

25 (7) Allowance to improve instructional programs in an  
26 amount at least equal to the appropriation for such  
27 allowance in the fiscal year one thousand nine hundred  
28 ninety-one—ninety-two.

29 (b) Notwithstanding the provisions of section eight-a  
30 of this article, the foundation allowance for regional  
31 educational service agencies for the fiscal year one

32 thousand nine hundred ninety-two—ninety-three shall  
33 be in an amount equal to the appropriation for such  
34 allowance in the fiscal year one thousand nine hundred  
35 ninety-one—ninety-two, unless a greater amount is  
36 appropriated by the Legislature.

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

1 The basic foundation allowance to the county for  
2 professional educators shall be the amount of money  
3 required to pay the state minimum salaries, in accor-  
4 dance with provisions of article four, chapter eighteen-  
5 a of the code, to such personnel employed: *Provided,*  
6 That in making this computation no county shall receive  
7 an allowance for such personnel which number is in  
8 excess of fifty-four and thirty-three one-hundredths  
9 professional educators to each one thousand students in  
10 adjusted enrollment: *Provided, however,* That for the  
11 school year commencing on the first day of July, one  
12 thousand nine hundred ninety-one, and thereafter, no  
13 county shall receive an allowance for such personnel  
14 which number is in excess of fifty-three and one-half  
15 professional educators to each one thousand students in  
16 adjusted enrollment: *Provided further,* That any county  
17 not qualifying under the provision of section fourteen of  
18 this article shall be eligible for a growth rate in  
19 professional personnel in any one year not to exceed  
20 twenty percent of its total potential increase under this  
21 provision, except that in no case shall such limit be  
22 fewer than five professionals: *And provided further,*  
23 That the number of and the allowance for personnel  
24 paid in part by state and county funds shall be prorated:  
25 *And provided further,* That where two or more counties  
26 join together in support of a vocational or comprehensive  
27 high school or any other program or service, the  
28 professional educators for such school or program may  
29 be prorated among the participating counties on the  
30 basis of each one's enrollment therein and that such  
31 personnel shall be considered within the above-stated  
32 limit: *And provided further,* That in the school year  
33 beginning the first day of July, one thousand nine  
34 hundred eighty-eight, and in each school year thereaf-

35 ter, each county board shall establish and maintain a  
36 minimum ratio of fifty professional instructional  
37 personnel per one thousand students in adjusted  
38 enrollment: *And provided further*, That no county shall  
39 have less than a total of five principals and central office  
40 administrators. Any county board which does not  
41 establish and maintain this minimum ratio shall suffer  
42 a pro rata reduction in the allowance for professional  
43 educators under this section: *And provided further*, That  
44 no county shall be penalized if it has increases in  
45 enrollment during that school year: *And provided*  
46 *further*, That any county board which does not establish  
47 and maintain this minimum ratio shall utilize any and  
48 all allocations to it by provision of section fourteen of  
49 this article solely to employ professional instructional  
50 personnel until the minimum ratio is attained. Every  
51 county shall utilize methods other than reductions in  
52 force, such as attrition and early retirement, before  
53 implementing their reductions in force policy to comply  
54 with the limitations of this section. It is the intent of the  
55 Legislature that in planning reductions in force to  
56 comply with reduced ratios of professional educators to  
57 students in adjusted enrollment, county boards shall  
58 consider positions for elimination in the following order:  
59 (1) Central office administrators, (2) assistant principals,  
60 and (3) principals.

61 No county shall increase the number of administrative  
62 personnel employed as either professional educators or  
63 pay grade "H" service personnel above the number  
64 which were employed, or for which positions were  
65 posted, on the thirtieth day of June, one thousand nine  
66 hundred ninety, and, therefore, county boards shall  
67 whenever possible utilize classroom teachers for curric-  
68 ulum administrative positions through the use of  
69 modified or extended contracts: *Provided*, That the  
70 governor shall submit a recommendation to the Legis-  
71 lature at the beginning of the regular session thereof in  
72 the year one thousand nine hundred ninety-one, which  
73 proposes a method for establishing a responsible level  
74 of administrative support for each county school system  
75 and a pay scale differentiation on a daily rate between  
76 classroom positions and administrative positions when

77 all other factors are equal.

78 Every county board of education shall annually  
79 determine the number of professional educators em-  
80 ployed that exceeds the number allowed by the public  
81 school support plan and determine the amount of salary  
82 supplement that would be available per state authorized  
83 employee if all expenditures for such excess employees  
84 were converted to annual salaries for state authorized  
85 professional educators within their county. Such infor-  
86 mation shall be published annually in each school report  
87 card of each such county.

**§18-9A-10. Foundation allowance to improve instruc-  
tional programs.**

1 (a) For the school year beginning on the first day of  
2 July, one thousand nine hundred, ninety-two only,  
3 thirty-one million, two hundred sixteen thousand, eight  
4 hundred three dollars, in addition to funds which accrue  
5 from allocations due to increase in total local share  
6 above that computed for the school year beginning on  
7 the first day of July, one thousand nine hundred ninety-  
8 two, from balances in the general school fund, or from  
9 appropriations for such purpose shall be allocated to  
10 increase state support of counties as follows:

11 (1) Twenty percent of these funds shall be allocated  
12 to the counties proportional to adjusted enrollment; and

13 (2) Each county whose allocation in subsection (1) is  
14 less than one hundred fifty thousand dollars in any fiscal  
15 year shall then receive an amount which equals the  
16 difference between such amount received and one  
17 hundred fifty thousand dollars.

18 (b) The remainder of these funds shall be allocated  
19 according to the following plan for progress toward  
20 basic resources per pupil equity:

21 Beginning with the county which has the lowest basic  
22 resources per pupil and progressing through the  
23 counties successively to and beyond the county with the  
24 highest basic resources per pupil, the funds available  
25 shall be allocated in amounts necessary to increase  
26 moneys available to the county or counties to the basic

27 resources per pupil level, as nearly as is possible, of the  
28 county having the next higher basic resources per pupil:  
29 *Provided*, That no county shall lose or gain more than  
30 fifteen percent over the previous year's allocation:

31 (c) Any county whose allocation under subsections (a)  
32 and (b) of this section is less than two hundred seventy-  
33 five thousand dollars shall receive an additional  
34 appropriation which equals the difference between such  
35 allocation and two hundred seventy-five thousand  
36 dollars.

37 (d) To be eligible for its allocation under this section,  
38 a county board shall lay the maximum regular tax rates  
39 set out in section six-c, article eight, chapter eleven of  
40 this code: *Provided*, That moneys allocated by provision  
41 of this section shall be used to improve instructional  
42 programs according to a plan for instructional improve-  
43 ment which the affected county board shall file with the  
44 state board by the first day of August of each year, to  
45 be approved by the state board by the first day of  
46 September of that year if such plan substantially  
47 complies with standards to be adopted by the state  
48 board: *Provided, however*, That for the school year  
49 beginning on the first day of July, one thousand nine  
50 hundred ninety-two, up to fifteen percent of this  
51 allocation may be used to employ professional educators  
52 and/or service personnel in counties after all applicable  
53 provisions of sections four and five of this article have  
54 been fully utilized.

55 Prior to the use of any funds from this section for  
56 personnel costs, the county board must receive author-  
57 ization from the state superintendent of schools. The  
58 state superintendent shall require the district board to  
59 demonstrate: (1) The need for the allocation, (2)  
60 efficiency and fiscal responsibility in staffing, and (3)  
61 sharing of services with adjoining counties and the  
62 regional educational service agency for that county in  
63 the use of the total local district board budget. District  
64 boards shall make application for available funds by the  
65 first day of May, one thousand nine hundred ninety-two.  
66 On or before the first day of June, the state superintend-  
67 ent shall review all applications and notify applying

68 district boards of the distribution of the allocation. Such  
69 funds shall be distributed during the fiscal year as  
70 appropriate. The state superintendent shall require the  
71 county board to demonstrate the need for an allocation  
72 for personnel based upon the county's inability to meet  
73 the requirements of state law or state board policy:  
74 *Provided*, That the funds available for personnel under  
75 this section may not be used to increase the total number  
76 of professional noninstructional personnel in the central  
77 office beyond four. Such instructional improvement plan  
78 shall be made available for distribution to the public at  
79 the office of each affected county board.

80 (e) Commencing with the school year beginning on the  
81 first day of July, one thousand nine hundred ninety-two,  
82 twenty-one million, four hundred forty thousand, four  
83 hundred ninety-three dollars shall be paid into the  
84 school building capital improvements fund created by  
85 section six, article nine-d of this chapter, and shall be  
86 used solely for the purposes of said article nine-d. In  
87 each fiscal year thereafter, fifty percent of the funds  
88 which accrue due to an increase in local share above that  
89 computed for the school year beginning on the first day  
90 of July, one thousand nine hundred eighty-seven, shall  
91 be paid into the school building capital improvements  
92 fund created by section six, article nine-d of this  
93 chapter, and shall be used solely for the purposes of said  
94 article nine-d: *Provided*, That if funds are available and  
95 appropriated in each such subsequent fiscal year, not  
96 less than seven million seven hundred thousand dollars  
97 shall be added to the amount of the prior year's  
98 appropriation for such fund.

**§18-9A-12. County basic foundation; total basic state aid allowance.**

1 (a) The basic foundation program for each county for  
2 the fiscal year shall be the sum of the amounts computed  
3 in accordance with the provisions of sections four, five,  
4 six, seven, eight, nine and ten of this article. On the first  
5 working day of July in each year, the state board shall  
6 determine the basic foundation program for each county  
7 for that fiscal year. Data used in the computations  
8 relating to net and adjusted enrollment, and the number

9 of professional educators, shall be for the second month  
10 of the prior school term. Transportation expenditures  
11 used in these computations shall be for the most recent  
12 year in which data are available. The allocated state aid  
13 share of the county's basic foundation program shall be  
14 the difference between the cost of its basic foundation  
15 program and the county's local share as determined in  
16 section eleven of this article, except as provided in  
17 subsection (b) of this section.

18 (b) The allocated state aid share shall be adjusted in  
19 the following circumstances in the following manner:  
20 *Provided*, That prior to such adjustment, the state tax  
21 commissioner shall provide the state board, by the  
22 fifteenth day of January of each year a certified listing  
23 of those counties in which such adjustment shall be  
24 made pursuant to this subsection, together with the  
25 amount of revenue which will not be available to each  
26 county board in the ensuing fiscal year as a result of the  
27 circumstance.

28 (1) In those instances where the local share as  
29 computed under section eleven of this article is not  
30 reflective of local funds available because the county is  
31 under a final court order to refund or credit property  
32 taxes paid in prior years, the allocated state aid share  
33 shall be the county's basic foundation program, minus  
34 the local share as computed under section eleven of this  
35 article, plus the amount of property tax the county is  
36 unable to collect or must refund due to the final court  
37 order.

38 (2) In those instances where the local share as  
39 computed under section eleven of this article is not  
40 reflective of local funds available because the county is  
41 collecting tax based upon an assessed value which is less  
42 than that determined by the tax commissioner in the  
43 most recent published survey of property valuations in  
44 the state due to an error in the published survey, which  
45 error is certified to by the tax commissioner, the  
46 allocated state aid share shall be the county's basic  
47 foundation program, minus the local share as computed  
48 under section eleven of this article, plus the amount of  
49 property tax the county is unable to collect based on

50 differences in the assessed valuation between those in  
51 the most recent published survey of valuation and the  
52 corrected assessed value actually levied upon by the  
53 county.

54 (3) In instances where a county is unable to collect  
55 property taxes from a taxpayer during the pendency of  
56 any court proceedings, the allocated state aid share shall  
57 be the county's basic foundation program minus the  
58 local share as computed under section eleven of this  
59 article, plus the amount the county is unable to collect  
60 as a result of the pending court proceedings as certified  
61 by the tax commissioner: *Provided*, That the county is  
62 required to reimburse the amount of allocated state aid  
63 share attributable to the amount of property tax it later  
64 receives upon completion of court proceedings, which  
65 shall be paid into the general revenue fund of the state.

66 (c) The allocated state aid share shall be adjusted in  
67 any county receiving payments or contributions in lieu  
68 of property taxes. In instances where a county receives  
69 payments or contributions in lieu of property taxes, the  
70 allocated state aid share shall be the county's basic  
71 foundation program minus the local share as computed  
72 under section eleven of this article, plus any amounts  
73 added pursuant to subsection (b) of this section minus  
74 the payments or contributions in lieu of property taxes  
75 which are distributed by the sheriff to the county board  
76 of education. In determining the amount of such  
77 contribution or payment in lieu of taxes, each county  
78 commission shall provide to the state tax commissioner,  
79 by the first day of January of each year, the total  
80 amount of such payments or contributions paid to the  
81 county and the proportion of the total amount that has  
82 been or will be distributed to the county board of  
83 education. The state tax commissioner then shall  
84 provide the state board, by the fifteenth day of January  
85 of each year, a certified listing of those counties in which  
86 an adjustment pursuant to this section shall be made,  
87 together with the amount of revenue which will be  
88 available to each county board in the ensuing fiscal year  
89 as a result of contribution or payment in lieu of taxes.

90 (d) Total basic state aid to the county shall be the

91 computed state share of basic foundation support. After  
92 such computation is completed, the state board shall  
93 immediately certify to each county board the amount of  
94 state aid allocated to the county for that fiscal year,  
95 subject to any qualifying provisions of this article.

## CHAPTER 18A. SCHOOL PERSONNEL.

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

#### §18A-4-1. Definitions.

1 For the purpose of this article, 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 under  
14 the statutory provisions of this chapter. "Classification  
15 of training" means the number of collegiate or graduate  
16 hours necessary to meet the requirements stipulated in  
17 the definitions set forth in the next paragraph in items  
18 (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, "years of experience" means the number of years  
30 the nurse has been employed as a public school health  
31 nurse, including active work in a nursing position

32 related to education, and service in the armed forces if  
33 the nurse was under contract with the county board at  
34 the time of induction. For the purpose of section two of  
35 this article, the experience of a teacher or a nurse shall  
36 be limited to that allowed under their training classi-  
37 fication as found in the minimum salary schedule.

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

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

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

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

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

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

70 (8) "M.A. plus 15" means the above-defined master's

71 degree plus fifteen hours of graduate work, earned in  
72 an institution of higher education approved to do  
73 graduate work, if the person is qualified for or holds a  
74 professional certificate or its equivalent.

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

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

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

90 Notwithstanding the requirements set forth in subdivi-  
91 sions (6), (8) and (9) of this section relating to hours  
92 of graduate work at an institution certified to do such  
93 work, fifteen undergraduate credit hours from a  
94 regionally accredited institution of higher education,  
95 earned after the effective date of this section, may be  
96 utilized for advanced salary classification if such hours  
97 are in accordance with: (a) The teacher's current  
98 classification of certification and of training; (b) a  
99 designated instructional shortage area documented by  
100 the employing county superintendent; or (c) an identi-  
101 fied teaching deficiency documented through the state  
102 approved county personnel evaluation system.

103 Effective the first day of July, one thousand nine  
104 hundred ninety-four, the following definition shall be  
105 applicable.

106 (11) "M.A. plus 45" means the above-defined master's  
107 degree plus forty-five graduate hours, earned in an  
108 institution approved to do graduate work, if the person  
109 is qualified for or holds a professional certificate or its

110 equivalent.

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

1 Effective the first day of July, one thousand nine  
 2 hundred ninety-two and thereafter, each teacher shall  
 3 receive the amount prescribed in the “state minimum  
 4 salary schedule” as set forth in this section, specific  
 5 additional amounts prescribed in this section or article,  
 6 and any county supplement in effect in a county  
 7 pursuant to section five-a of this article during the  
 8 contract year.

9 STATE MINIMUM SALARY SCHEDULE

10	(1)	(2)	(3)	(4)	(5)	(6)	(7)
11	Years	4th	3rd	2nd		A.B.	
12	Exp.	Class	Class	Class	A.B.	+15	M.A.
13	0	16,816	17,453	17,708	18,918	19,653	21,361
14	1	17,032	17,669	17,924	19,318	20,053	21,761
15	2	17,248	17,886	18,141	19,718	20,453	22,161
16	3	17,465	18,102	18,357	20,118	20,853	22,561
17	4	17,917	18,554	18,810	20,754	21,489	23,197
18	5	18,133	18,771	19,026	21,154	21,889	23,597
19	6	18,350	18,987	19,242	21,554	22,289	23,997
20	7		19,203	19,459	21,954	22,689	24,397
21	8		19,420	19,675	22,354	23,089	24,797
22	9			19,891	22,754	23,489	25,197
23	10			20,107	23,155	23,890	25,598
24	11				23,555	24,290	25,998
25	12				23,955	24,690	26,398
26	13				24,355	25,090	26,798
27	14						27,198
28	15						27,598
29	16						27,998
30	17						
31	18						
32	19						
33		(8)	(9)	(10)			
34	Years	M.A.	M.A.	Doc-			
	Exp.	+15	+30	torate			
35	0	22,096	22,831	23,831			

36	1	22,496	23,231	24,231
37	2	22,896	23,631	24,631
38	3	23,296	24,031	25,031
39	4	23,932	24,667	25,667
40	5	24,332	25,067	26,067
41	6	24,732	25,467	26,467
42	7	25,132	25,867	26,867
43	8	25,532	26,267	27,267
44	9	25,932	26,667	27,667
45	10	26,333	27,068	28,068
46	11	26,733	27,468	28,468
47	12	27,133	27,868	28,868
48	13	27,533	28,268	29,268
49	14	27,933	28,668	29,668
50	15	28,333	29,068	30,068
51	16	28,733	29,468	30,468
52	17		29,868	30,868
53	18		30,268	31,268
54	19		30,668	31,668

55 Six hundred dollars shall be paid annually to each  
56 classroom teacher who has at least twenty years of  
57 teaching experience. Such payments shall be in addition  
58 to any amounts prescribed in the "state minimum salary  
59 schedule", shall be paid in equal monthly installments,  
60 and shall be deemed a part of the state minimum  
61 salaries for teachers.

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

*James Lee*  
-----  
Chairman Senate Committee

*Ernest C. Morse*  
-----  
Chairman House Committee

Originating in the House.

Takes effect July 1, 1992.

*Darrell E. Holmes*  
-----  
Clerk of the Senate

*Donald R. Keys*  
-----  
Clerk of the House of Delegates

*Scott Burdette*  
-----  
President of the Senate

*Rob Cole*  
-----  
Speaker of the House of Delegates

The within is approved \_\_\_\_\_ this the 31<sup>ST</sup>  
day of March, 1992.

*Yaston Caperton*  
-----  
Governor

PRESENTED TO THE

GOVERNOR/

Date 3/27/92

Time 3:45 pm