

HB 4117

FILED

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OFFICE OF THE  
SECRETARY OF STATE CD

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2008



**ENROLLED**

**COMMITTEE SUBSTITUTE  
FOR  
House Bill No. 4117**

(By Delegate Browning)



Passed March 8, 2008

In Effect July 1, 2008

**E N R O L L E D**

**FILED**

2008 MAR 28 PM 4: 2

COMMITTEE SUBSTITUTE

FOR

CLERK OF SEN.  
SECRETARY OF STATE

**H. B. 4117**

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(BY DELEGATE BROWNING)

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[Passed March 8, 2008; in effect July 1, 2008.]

AN ACT to amend and reenact §18A-4-2b of the Code of West Virginia, 1931, as amended, relating to providing the state minimum salary supplement and the reimbursement of educational expenses to school psychologists and school nurses for achieving certain national certifications; increasing the number of certificate holders who are eligible for the supplements and reimbursements each year; and requiring State Board of Education rule.

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

That §18A-4-2b of the Code of West Virginia, 1931, as amended, be amended and reenacted, to read as follows:

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

**§18A-4-2b. State minimum salary supplement and educational expense reimbursement for professional personnel with recognized national certification in speech-language pathology, audiology, counseling, school psychology or school nursing.**

1 (a)(1) The Legislature finds that achieving a nationally  
2 recognized professional certification in speech-language  
3 pathology or audiology involves a rigorous process of  
4 demonstrating both knowledge and skills and results in  
5 highly trained and capable employees. Individuals who  
6 attain national professional certification by the American  
7 Speech-Language-Hearing Association provide needed and  
8 essential services to the school students of this state.  
9 Individuals should be encouraged to achieve and maintain the  
10 national professional certification through reimbursement of  
11 expenses and a salary bonus which reflects their additional  
12 certification.

13 (2) The Legislature finds that the rigorous standards and  
14 processes for advanced certification by either the National  
15 Board of Certified Counselors or the West Virginia Board of  
16 Examiners in Counseling helps to promote the quality of  
17 counseling in schools. Counselors in the public schools of  
18 West Virginia should be encouraged to achieve and maintain  
19 the advanced certification through reimbursement of  
20 expenses and a salary bonus that reflects their additional  
21 certification.

22 (3) The Legislature finds that achieving a nationally  
23 recognized professional certification in school psychology  
24 involves a rigorous process of demonstrating competencies  
25 in scientific research-based knowledge and skills. School  
26 psychologists provide assessment, counseling and  
27 consultation to students, teachers, school administrators and  
28 parents. Individuals who attain national professional

29 certification by the National Association of School  
30 Psychologists provide services to students, families and  
31 school systems in this state. School psychologists should be  
32 encouraged to achieve and maintain this national professional  
33 certification through reimbursement of expenses and a salary  
34 bonus which reflects their additional certification.

35 (4) The Legislature finds that achieving a nationally  
36 recognized professional certification in school nursing  
37 involves a rigorous process of demonstrating competencies  
38 in health care and nursing applications, knowledge and skills.  
39 School nurses provide assessment, counseling and  
40 consultation to students, teachers, school administrators and  
41 parents. School nurses who attain national professional  
42 certification by the National Board for Certification of School  
43 Nurses provide services to students, families and school  
44 systems in this state. School nurses should be encouraged to  
45 achieve and maintain this national professional certification  
46 through reimbursement of expenses and a salary bonus which  
47 reflects their additional certification.

48 (5) Therefore, the purpose of this section is:

49 (A) To provide a statewide salary supplement for certain  
50 professional personnel employed in the public schools who  
51 hold nationally recognized professional certification in  
52 speech-language pathology, audiology, counseling, school  
53 psychology or school nursing;

54 (B) To treat these professional certifications equally;

55 (C) To encourage others to attain such a certification; and

56 (D) To help school systems recruit these highly qualified  
57 professionals.

58 (b) In addition to any amounts prescribed in the  
59 applicable state minimum salary schedule, any professional  
60 personnel who hold national certification or other credential  
61 as provided in this section shall be paid an annual salary  
62 supplement of two thousand five hundred dollars. The  
63 payment is:

64 (1) To be made in equal monthly installments;

65 (2) To be considered a part of the state minimum salaries  
66 for teachers; and

67 (3) To continue for the life of the certification, or for ten  
68 years for any one certification, whichever first expires.

69 (c) Professional personnel employed as speech-language  
70 pathologists, audiologists, counselors, school psychologists  
71 or school nurses are eligible upon enrollment for  
72 reimbursement for one-half of the fee for certification in  
73 accordance with this section. In addition, these personnel are  
74 eligible upon attainment of the certification for  
75 reimbursement of the remainder of the application fee plus  
76 other expenses actually incurred toward attainment of the  
77 certification, not exceeding six hundred dollars, upon  
78 approval by the department of education. Not more than one  
79 hundred fifteen speech-language pathologists, audiologists,  
80 counselors, school psychologists and school nurses,  
81 combined total, are eligible for reimbursement in any one  
82 fiscal year.

83 (d) Notwithstanding subsection (b) of this section, for the  
84 school year beginning the first day of July, two thousand  
85 eight, the number of speech-language pathologists,  
86 audiologists, counselors, school psychologists and school  
87 nurses paid the annual salary supplement provided for in said  
88 subsection may not exceed the number of speech-language

89 pathologists, audiologists and counselors eligible to be paid  
90 the annual salary supplement under the provisions of this  
91 section in effect during the school year beginning the first  
92 day of July, two thousand seven, by more than one hundred  
93 fifteen qualified recipients, and the total amount of qualified  
94 recipients may not increase thereafter by more than one  
95 hundred fifteen in each subsequent fiscal year.

96 (e) The state board shall promulgate a legislative rule  
97 establishing criteria for selection of the individuals eligible  
98 for reimbursement and a salary supplement in accordance  
99 with this section. The selection criteria shall prioritize the  
100 length of time the certification has been held and the years of  
101 experience of the holder in determining eligibility.

102 (f) The state board shall report the rule to the Legislative  
103 Oversight Commission on Education Accountability by the  
104 January, two thousand nine, legislative interim meeting  
105 period and shall report on its progress in developing the rule  
106 to the commission during prior interim meetings as  
107 requested.

108 (g) No provision of this section may be construed to  
109 require any appropriation, or any specific level of  
110 appropriation, by the Legislature, or payment of any  
111 supplement or reimbursement described in this section for  
112 which a specific appropriation has not been made.

113 (h) Notwithstanding any other provision of this section or  
114 the provisions of section two-a of this article, professional  
115 personnel may not be paid a salary supplement pursuant to  
116 the provisions of both said sections.

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

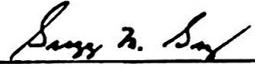
  
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Chairman Senate Committee

  
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Chairman House Committee

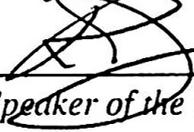
Originating in the House.

In effect July 1, 2008.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 28<sup>th</sup>  
day of March, 2008.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 20 2008

Time 2:10 pm