

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

ENROLLED

House Bill 2602

BY DELEGATES TONEY, STATLER, VANCE, ELLINGTON,

COOPER, SHAMBLIN AND KIRBY

[Passed February 10, 2023; in effect from passage.]

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1 AN ACT to amend and reenact §18A-4-8 of the Code of West Virginia, 1931, as amended, relating
2 to adding special teaching assistants Aide V and Aide VI to the class titles of service
3 personnel of the state minimum pay scale and class titles that are set forth in §18A-4-8a
4 of this code.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-8. Employment term and class titles of service personnel; definitions.

1 (a) The purpose of this section is to establish an employment term and class titles for
2 service personnel. The employment term for service personnel may not be less than 10 months.
3 A month is defined as 20 employment days. The county board may contract with all or part of
4 these service personnel for a longer term.

5 (b) Service personnel employed on a yearly or 12-month basis may be employed by
6 calendar months. Whenever there is a change in job assignment during the school year, the
7 minimum pay scale and any county supplement are applicable.

8 (c) Service personnel employed in the same classification for more than the 200-day
9 minimum employment term are paid for additional employment at a daily rate of not less than the
10 daily rate paid for the 200-day minimum employment term.

11 (d) A service person may not be required to report for work more than five days per week
12 without his or her agreement, and no part of any working day may be accumulated by the
13 employer for future work assignments, unless the employee agrees thereto.

14 (e) If a service person whose regular work week is scheduled from Monday through Friday
15 agrees to perform any work assignments on a Saturday or Sunday, the service person is paid for
16 at least one-half day of work for each day he or she reports for work. If the service person works
17 more than three and one-half hours on any Saturday or Sunday, he or she is paid for at least a
18 full day of work for each day.

19 (f) A custodian, aide, maintenance, office and school lunch service person required to
20 work a daily work schedule that is interrupted is paid additional compensation in accordance with
21 this subsection.

22 (1) A maintenance person means a person who holds a classification title other than in a
23 custodial, aide, school lunch, office or transportation category as provided in §18A-1-1 of this
24 code.

25 (2) A service person's schedule is considered to be interrupted if he or she does not work
26 a continuous period in one day. Aides are not regarded as working an interrupted schedule when
27 engaged exclusively in the duties of transporting students;

28 (3) The additional compensation provided in this subsection:

29 (A) Is equal to at least one eighth of a service person's total salary as provided by the
30 state minimum pay scale and any county pay supplement; and

31 (B) Is payable entirely from county board funds.

32 (g) When there is a change in classification or when a service person meets the
33 requirements of an advanced classification, his or her salary shall be made to comply with the
34 requirements of this article and any county salary schedule in excess of the minimum
35 requirements of this article, based upon the service person's advanced classification and
36 allowable years of employment.

37 (h) A service person's contract, as provided in §18A-2-5 of this code, shall state the
38 appropriate monthly salary the employee is to be paid, based on the class title as provided in this
39 article and on any county salary schedule in excess of the minimum requirements of this article.

40 (i) The column heads of the state minimum pay scale and class titles, set forth in §18A-4-
41 8a of this code, are defined as follows:

42 (1) "Pay grade" means the monthly salary applicable to class titles of service personnel;

43 (2) "Years of employment" means the number of years which an employee classified as a
44 service person has been employed by a county board in any position prior to or subsequent to

45 the effective date of this section and includes service in the armed forces of the United States, if
46 the employee was employed at the time of his or her induction. For the purpose of §18A-4-8a of
47 this code, years of employment is limited to the number of years shown and allowed under the
48 state minimum pay scale as set forth in §18A-4-8a of this code;

49 (3) "Class title" means the name of the position or job held by a service person;

50 (4) "Accountant I" means a person employed to maintain payroll records and reports and
51 perform one or more operations relating to a phase of the total payroll;

52 (5) "Accountant II" means a person employed to maintain accounting records and to be
53 responsible for the accounting process associated with billing, budgets, purchasing and related
54 operations;

55 (6) "Accountant III" means a person employed in the county board office to manage and
56 supervise accounts payable, payroll procedures, or both;

57 (7) "Accounts payable supervisor" means a person employed in the county board office
58 who has primary responsibility for the accounts payable function and who either has completed
59 12 college hours of accounting courses from an accredited institution of higher education or has
60 at least eight years of experience performing progressively difficult accounting tasks.
61 Responsibilities of this class title may include supervision of other personnel;

62 (8) "Aide I" means a person selected and trained for a teacher-aide classification such as
63 monitor aide, clerical aide, classroom aide or general aide;

64 (9) "Aide II" means a service person referred to in the "Aide I" classification who has
65 completed a training program approved by the state board, or who holds a high school diploma
66 or has received a general educational development certificate. Only a person classified in an Aide
67 II class title may be employed as an aide in any special education program;

68 (10) "Aide III" means a service person referred to in the "Aide I" classification who holds a
69 high school diploma or a general educational development certificate; and

70 (A) Has completed six semester hours of college credit at an institution of higher
71 education; or

72 (B) Is employed as an aide in a special education program and has one year's experience
73 as an aide in special education;

74 (11) "Aide IV" means a service person referred to in the "Aide I" classification who holds
75 a high school diploma or a general educational development certificate; and

76 (A) Has completed 18 hours of State Board-approved college credit at a regionally
77 accredited institution of higher education, or

78 (B) Has completed 15 hours of State Board-approved college credit at a regionally
79 accredited institution of higher education; and has successfully completed an in-service training
80 program determined by the State Board to be the equivalent of three hours of college credit;

81 (12) "Aide V (Special Education Assistant Teacher) – Temporary Authorization" means a
82 person who does not possess minimum requirements for the Aide V permanent authorization, but
83 is enrolled in and pursuing requirements as prescribed by the state board of education. No service
84 person shall be entitled to receive the paygrade associated with this classification unless he or
85 she has applied for and been selected to fill a posted position which specifically requires the
86 successful candidate to hold or be enrolled in and pursuing the requirements for the classification.
87 The determination as to whether a position will be posted requiring this classification is solely at
88 the discretion of the county;

89 "Aide V (Special Education Assistant Teacher)" means a service person referred to in the
90 "Aide I" classification who holds a high school diploma or a general educational development
91 certificate and who has completed the requirements and experience to be prescribed by the state
92 board of education. No service person shall be entitled to receive the paygrade associated with
93 this classification unless he or she has applied for and been selected to fill a posted position which
94 specifically requires the successful candidate to hold or be enrolled in and pursuing the

95 requirements for the classification. The determination as to whether a position will be posted
96 requiring this classification is solely at the discretion of the county;

97 (13) "Aide VI (Behavioral Support Assistant Teacher – Temporary Authorization)" means
98 a person who does not possess minimum requirements for the Aide VI permanent authorization,
99 but is enrolled in and pursuing the requirements as prescribed by the state board of education.
100 No service person shall be entitled to receive the paygrade associated with this classification
101 unless he or she has applied for and been selected to fill a posted position which specifically
102 requires the successful candidate to hold or be enrolled in and pursuing the requirements for the
103 classification. The determination as to whether a position will be posted requiring this
104 classification is solely at the discretion of the county;

105 "Aide VI (Behavioral Support Assistant Teacher)" means a person who works with a
106 student or students who have identified behavior difficulties, holds at least an Aide III classification
107 and has completed the requirements and experience to be prescribed by the state board of
108 education. No service person shall be entitled to receive the paygrade associated with this
109 classification unless he or she has applied for and been selected to fill a posted position which
110 specifically requires the successful candidate to hold or be enrolled in and pursuing the
111 requirements for the classification. The determination as to whether a position will be posted
112 requiring this classification is solely at the discretion of the county;

113 (14) "Audiovisual technician" means a person employed to perform minor maintenance on
114 audiovisual equipment, films, and supplies and who fills requests for equipment;

115 (15) "Auditor" means a person employed to examine and verify accounts of individual
116 schools and to assist schools and school personnel in maintaining complete and accurate records
117 of their accounts;

118 (16) "Autism mentor" means a person who works with autistic students and who meets
119 standards and experience to be determined by the State Board. A person who has held or holds

120 an aide title and becomes employed as an autism mentor shall hold a multiclassification status
121 that includes both aide and autism mentor titles, in accordance with §18A-4-8b of this code;

122 (17) "Braille specialist" means a person employed to provide braille assistance to students.
123 A service person who has held or holds an aide title and becomes employed as a braille specialist
124 shall hold a multiclassification status that includes both aide and braille specialist title, in
125 accordance with §18A-4-8b of this code;

126 (18) "Bus operator" means a person employed to operate school buses and other school
127 transportation vehicles as provided by the State Board;

128 (19) "Buyer" means a person employed to review and write specifications, negotiate
129 purchase bids and recommend purchase agreements for materials and services that meet
130 predetermined specifications at the lowest available costs;

131 (20) "Cabinetmaker" means a person employed to construct cabinets, tables, bookcases
132 and other furniture;

133 (21) "Cafeteria manager" means a person referred to in the Cook III classification who is
134 employed to direct the operation of a food services program in a school, including assigning duties
135 to employees, approving requisitions for supplies and repairs, keeping inventories, inspecting
136 areas to maintain high standards of sanitation, monitoring freezers and temperatures on
137 equipment, communicating with the food service supervisor or food service director, preparing
138 financial reports, keeping records pertinent to food services of a school and maintaining that an
139 appropriate time per day will be for ordering/emailing and paper work as needed;

140 (22) "Carpenter I" means a person classified as a carpenter's helper;

141 (23) "Carpenter II" means a person classified as a journeyman carpenter;

142 (24) "Chief mechanic" means a person employed to be responsible for directing activities
143 which ensure that student transportation or other county board-owned vehicles are properly and
144 safely maintained;

145 (25) "Clerk I" means a person employed to perform clerical tasks;

146 (26) "Clerk II" means a person employed to perform general clerical tasks, prepare reports
147 and tabulations, and operate office machines;

148 (27) "Computer operator" means a qualified person employed to operate computers;

149 (28) "Cook I" means a person employed as a cook's helper;

150 (29) "Cook II" means a person employed to prepare and serve meals in a food service
151 program of a school. This definition includes a service person who has been employed as a "Cook
152 I" for a period of four years;

153 (30) "Cook III" means a person employed to assist the cafeteria manager, interpret menus
154 and to prepare and serve meals, make reports, prepare requisitions for supplies, order equipment
155 and repairs for a food service program of a school system, and act as the cafeteria manager if
156 that employee is absent;

157 (31) "Crew leader" means a person employed to organize the work for a crew of
158 maintenance employees to carry out assigned projects;

159 (32) "Custodian I" means a person employed to keep buildings clean and free of refuse;

160 (33) "Custodian II" means a person employed as a watchman or groundsman;

161 (34) "Custodian III" means a person employed to keep buildings clean and free of refuse,
162 to operate the heating or cooling systems and to make minor repairs;

163 (35) "Custodian IV" means a person employed as a head custodian. In addition to
164 providing services as defined in "Custodian III" duties may include supervising other custodian
165 personnel;

166 (36) "Director or coordinator of services" means an employee of a county board who is
167 assigned to direct a department or division.

168 (A) Nothing in this subdivision prohibits a professional person or a professional educator
169 from holding this class title;

170 (B) Professional personnel holding this class title may not be defined or classified as
171 service personnel unless the professional person held a service personnel title under this section
172 prior to holding the class title of "director or coordinator of services;"

173 (C) The director or coordinator of services is classified either as a professional person or
174 a service person for state aid formula funding purposes;

175 (D) Funding for the position of director or coordinator of services is based upon the
176 employment status of the director or coordinator either as a professional person or a service
177 person; and

178 (E) A person employed under the class title "director or coordinator of services" may not
179 be exclusively assigned to perform the duties ascribed to any other class title as defined in this
180 subsection: *Provided*, That nothing in this paragraph prohibits a person in this position from being
181 multi-classified;

182 (37) "Draftsman" means a person employed to plan, design and produce detailed
183 architectural/engineering drawings;

184 (38) "Early childhood classroom assistant teacher I" means a person who does not
185 possess minimum requirements for the permanent authorization requirements, but is enrolled in
186 and pursuing requirements;

187 (39) "Early childhood classroom assistant teacher II" means a person who has completed
188 the minimum requirements for a state-awarded certificate for early childhood classroom assistant
189 teachers as determined by the State Board;

190 (40) "Early childhood classroom assistant teacher III" means a person who has completed
191 permanent authorization requirements, as well as additional requirements comparable to current
192 paraprofessional certificate;

193 (41) "Educational sign language interpreter I" means a person employed to provide
194 communication access across all educational environments to students who are deaf or hard of

195 hearing, and who holds the Initial Paraprofessional Certificate – Educational Interpreter pursuant
196 to State Board policy;

197 (42) "Educational sign language interpreter II" means a person employed to provide
198 communication access across all educational environments to students who are deaf or hard of
199 hearing, and who holds the Permanent Paraprofessional Certificate – Educational Interpreter
200 pursuant to State Board policy;

201 (43) "Electrician I" means a person employed as an apprentice electrician helper or one
202 who holds an electrician helper license issued by the State Fire Marshal;

203 (44) "Electrician II" means a person employed as an electrician journeyman or one who
204 holds a journeyman electrician license issued by the State Fire Marshal;

205 (45) "Electronic technician I" means a person employed at the apprentice level to repair
206 and maintain electronic equipment;

207 (46) "Electronic technician II" means a person employed at the journeyman level to repair
208 and maintain electronic equipment;

209 (47) "Executive secretary" means a person employed as secretary to the county school
210 superintendent or as a secretary who is assigned to a position characterized by significant
211 administrative duties;

212 (48) "Food services supervisor" means a qualified person who is not a professional person
213 or professional educator as defined in §18A-1-1 of this code. The food services supervisor is
214 employed to manage and supervise a county school system's food service program. The duties
215 include preparing in-service training programs for cooks and food service employees, instructing
216 personnel in the areas of quantity cooking with economy and efficiency and keeping aggregate
217 records and reports;

218 (49) "Foreman" means a skilled person employed to supervise personnel who work in the
219 areas of repair and maintenance of school property and equipment;

220 (50) "General maintenance" means a person employed as a helper to skilled maintenance
221 employees, and to perform minor repairs to equipment and buildings of a county school system;

222 (51) "Glazier" means a person employed to replace glass or other materials in windows
223 and doors and to do minor carpentry tasks;

224 (52) "Graphic artist" means a person employed to prepare graphic illustrations;

225 (53) "Groundsman" means a person employed to perform duties that relate to the
226 appearance, repair and general care of school grounds in a county school system. Additional
227 assignments may include the operation of a small heating plant and routine cleaning duties in
228 buildings;

229 (54) "Handyman" means a person employed to perform routine manual tasks in any
230 operation of the county school system;

231 (55) "Heating and air conditioning mechanic I" means a person employed at the apprentice
232 level to install, repair and maintain heating and air conditioning plants and related electrical
233 equipment;

234 (56) "Heating and air conditioning mechanic II" means a person employed at the
235 journeyman level to install, repair and maintain heating and air conditioning plants and related
236 electrical equipment;

237 (57) "Heavy equipment operator" means a person employed to operate heavy equipment;

238 (58) "Inventory supervisor" means a person employed to supervise or maintain operations
239 in the receipt, storage, inventory and issuance of materials and supplies;

240 (59) "Key punch operator" means a qualified person employed to operate key punch
241 machines or verifying machines;

242 (60) "Licensed practical nurse" means a nurse, licensed by the West Virginia Board of
243 Examiners for Licensed Practical Nurses, employed to work in a public school under the
244 supervision of a school nurse;

245 (61) "Locksmith" means a person employed to repair and maintain locks and safes;

246 (62) "Lubrication man" means a person employed to lubricate and service gasoline or
247 diesel-powered equipment of a county school system;

248 (63) "Machinist" means a person employed to perform machinist tasks which include the
249 ability to operate a lathe, planer, shaper, threading machine and wheel press. A person holding
250 this class title also should have the ability to work from blueprints and drawings;

251 (64) "Mail clerk" means a person employed to receive, sort, dispatch, deliver or otherwise
252 handle letters, parcels and other mail;

253 (65) "Maintenance clerk" means a person employed to maintain and control a stocking
254 facility to keep adequate tools and supplies on hand for daily withdrawal for all school
255 maintenance crafts;

256 (66) "Mason" means a person employed to perform tasks connected with brick and block
257 laying and carpentry tasks related to these activities;

258 (67) "Mechanic" means a person employed to perform skilled duties independently in the
259 maintenance and repair of automobiles, school buses and other mechanical and mobile
260 equipment to use in a county school system;

261 (68) "Mechanic assistant" means a person employed as a mechanic apprentice and
262 helper;

263 (69) "Multiclassification" means a person employed to perform tasks that involve the
264 combination of two or more class titles in this section. In these instances the minimum salary
265 scale is the higher pay grade of the class titles involved;

266 (70) "Office equipment repairman I" means a person employed as an office equipment
267 repairman apprentice or helper;

268 (71) "Office equipment repairman II" means a person responsible for servicing and
269 repairing all office machines and equipment. A person holding this class title is responsible for the
270 purchase of parts necessary for the proper operation of a program of continuous maintenance
271 and repair;

272 (72) "Painter" means a person employed to perform duties painting, finishing and
273 decorating wood, metal and concrete surfaces of buildings, other structures, equipment,
274 machinery and furnishings of a county school system;

275 (73) "Paraprofessional" means a person certified pursuant to §18A-3-2a of this code to
276 perform duties in a support capacity including, but not limited to, facilitating in the instruction and
277 direct or indirect supervision of students under the direction of a principal, a teacher or another
278 designated professional educator.

279 (A) A person employed on the effective date of this section in the position of an aide may
280 not be subject to a reduction in force or transferred to create a vacancy for the employment of a
281 paraprofessional;

282 (B) A person who has held or holds an aide title and becomes employed as a
283 paraprofessional shall hold a multiclassification status that includes both aide and
284 paraprofessional titles in accordance with §18A-4-8b of this code; and

285 (C) When a service person who holds an aide title becomes certified as a paraprofessional
286 and is required to perform duties that may not be performed by an aide without paraprofessional
287 certification, he or she shall receive the paraprofessional title pay grade;

288 (74) "Payroll supervisor" means a person employed in the county board office who has
289 primary responsibility for the payroll function and who either has completed 12 college hours of
290 accounting from an accredited institution of higher education or has at least eight years of
291 experience performing progressively difficult accounting tasks. Responsibilities of this class title
292 may include supervision of other personnel;

293 (75) "Plumber I" means a person employed as an apprentice plumber and helper;

294 (76) "Plumber II" means a person employed as a journeyman plumber;

295 (77) "Printing operator" means a person employed to operate duplication equipment, and
296 to cut, collate, staple, bind and shelve materials as required;

297 (78) "Printing supervisor" means a person employed to supervise the operation of a print
298 shop;

299 (79) "Programmer" means a person employed to design and prepare programs for
300 computer operation;

301 (80) "Roofing/sheet metal mechanic" means a person employed to install, repair, fabricate
302 and maintain roofs, gutters, flashing and duct work for heating and ventilation;

303 (81) "Sanitation plant operator" means a person employed to operate and maintain a water
304 or sewage treatment plant to ensure the safety of the plant's effluent for human consumption or
305 environmental protection;

306 (82) "School bus supervisor" means a qualified person:

307 (A) Employed to assist in selecting school bus operators and routing and scheduling
308 school buses, operate a bus when needed, relay instructions to bus operators, plan emergency
309 routing of buses and promote good relationships with parents, students, bus operators and other
310 employees; and

311 (B) Certified to operate a bus or previously certified to operate a bus;

312 (83) "Secretary I" means a person employed to transcribe from notes or mechanical
313 equipment, receive callers, perform clerical tasks, prepare reports and operate office machines;

314 (84) "Secretary II" means a person employed in any elementary, secondary, kindergarten,
315 nursery, special education, vocational, or any other school as a secretary. The duties may include
316 performing general clerical tasks; transcribing from notes; stenotype, mechanical equipment or a
317 sound-producing machine; preparing reports; receiving callers and referring them to proper
318 persons; operating office machines; keeping records and handling routine correspondence.
319 Nothing in this subdivision prevents a service person from holding or being elevated to a higher
320 classification;

321 (85) "Secretary III" means a person assigned to the county board office administrators in
322 charge of various instructional, maintenance, transportation, food services, operations and health

323 departments, federal programs or departments with particular responsibilities in purchasing and
324 financial control or any person who has served for eight years in a position which meets the
325 definition of "Secretary II" or "Secretary III";

326 (86) "Sign support specialist" means a person employed to provide sign supported speech
327 assistance to students who are able to access environments through audition. A person who has
328 held or holds an aide title and becomes employed as a sign support specialist shall hold a
329 multiclassification status that includes both aide and sign support specialist titles, in accordance
330 with §18A-4-8b of this code.

331 (87) "Supervisor of maintenance" means a skilled person who is not a professional person
332 or professional educator as defined in §18A-1-1 of this code. The responsibilities include directing
333 the upkeep of buildings and shops, and issuing instructions to subordinates relating to cleaning,
334 repairs and maintenance of all structures and mechanical and electrical equipment of a county
335 board;

336 (88) "Supervisor of transportation" means a qualified person employed to direct school
337 transportation activities properly and safely, and to supervise the maintenance and repair of
338 vehicles, buses and other mechanical and mobile equipment used by the county school system.
339 After July 1, 2010, all persons employed for the first time in a position with this classification title
340 or in a multiclassification position that includes this title shall have five years of experience working
341 in the transportation department of a county board. Experience working in the transportation
342 department consists of serving as a bus operator, bus aide, assistant mechanic, mechanic, chief
343 mechanic or in a clerical position within the transportation department;

344 (89) "Switchboard operator-receptionist" means a person employed to refer incoming
345 calls, to assume contact with the public, to direct and to give instructions as necessary, to operate
346 switchboard equipment and to provide clerical assistance;

347 (90) "Truck driver" means a person employed to operate light or heavy duty gasoline and
348 diesel-powered vehicles;

349 (91) "Warehouse clerk" means a person employed to be responsible for receiving, storing,
350 packing and shipping goods;

351 (92) "Watchman" means a person employed to protect school property against damage
352 or theft. Additional assignments may include operation of a small heating plant and routine
353 cleaning duties;

354 (93) "Welder" means a person employed to provide acetylene or electric welding services
355 for a school system; and

356 (94) "WVEIS data entry and administrative clerk" means a person employed to work under
357 the direction of a school principal to assist the school counselor or counselors in the performance
358 of administrative duties, to perform data entry tasks on the West Virginia Education Information
359 System, and to perform other administrative duties assigned by the principal.

360 (j) Notwithstanding any provision in this code to the contrary, and in addition to the
361 compensation provided for service personnel in §18A-4-8a of this code, each service person is
362 entitled to all service personnel employee rights, privileges and benefits provided under this or
363 any other chapter of this code without regard to the employee's hours of employment or the
364 methods or sources of compensation.

365 (k) A service person whose years of employment exceeds the number of years shown and
366 provided for under the state minimum pay scale set forth in §18A-4-8a of this code may not be
367 paid less than the amount shown for the maximum years of employment shown and provided for
368 in the classification in which he or she is employed.

369 (l) Each county board shall review each service person's job classification annually and
370 shall reclassify all service persons as required by the job classifications. The state superintendent
371 may withhold state funds appropriated pursuant to this article for salaries for service personnel
372 who are improperly classified by the county boards. Further, the state superintendent shall order
373 a county board to correct immediately any improper classification matter and, with the assistance

374 of the Attorney General, shall take any legal action necessary against any county board to enforce
375 the order.

376 (m) Without his or her written consent, a service person may not be:

377 (1) Reclassified by class title; or

378 (2) Relegated to any condition of employment which would result in a reduction of his or
379 her salary, rate of pay, compensation or benefits earned during the current fiscal year; or for which
380 he or she would qualify by continuing in the same job position and classification held during that
381 fiscal year and subsequent years.

382 (n) Any county board failing to comply with the provisions of this article may be compelled
383 to do so by mandamus and is liable to any party prevailing against the board for court costs and
384 the prevailing party's reasonable attorney fee, as determined and established by the court.

385 (o) Notwithstanding any provision of this code to the contrary, a service person who holds
386 a continuing contract in a specific job classification and who is physically unable to perform the
387 job's duties as confirmed by a physician chosen by the employee, shall be given priority status
388 over any employee not holding a continuing contract in filling other service personnel job
389 vacancies if the service person is qualified as provided in §18A-4-8e of this code.

390 (p) Any person employed in an aide position on the effective date of this section may not
391 be transferred or subject to a reduction in force for the purpose of creating a vacancy for the
392 employment of a licensed practical nurse.

393 (q) Without the written consent of the service person, a county board may not establish
394 the beginning work station for a bus operator or transportation aide at any site other than a county
395 board-owned facility with available parking. The workday of the bus operator or transportation
396 aide commences at the bus at the designated beginning work station and ends when the
397 employee is able to leave the bus at the designated beginning work station, unless he or she
398 agrees otherwise in writing. The application or acceptance of a posted position may not be
399 construed as the written consent referred to in this subsection.

400 (r) Itinerant status means a service person who does not have a fixed work site and may
401 be involuntarily reassigned to another work site. A service person is considered to hold itinerant
402 status if he or she has bid upon a position posted as itinerant or has agreed to accept this status.
403 A county board may establish positions with itinerant status only within the aide and autism mentor
404 classification categories and only when the job duties involve exceptional students. A service
405 person with itinerant status may be assigned to a different work site upon written notice 10 days
406 prior to the reassignment without the consent of the employee and without posting the vacancy.
407 A service person with itinerant status may be involuntarily reassigned no more than twice during
408 the school year. At the conclusion of each school year, the county board shall post and fill,
409 pursuant to §18A-4-8b of this code, all positions that have been filled without posting by a service
410 person with itinerant status. A service person who is assigned to a beginning and ending work
411 site and travels at the expense of the county board to other work sites during the daily schedule,
412 is not considered to hold itinerant status.

413 (s) Any service person holding a classification title on June 30, 2013, that is removed from
414 the classification schedule pursuant to amendment and reenactment of this section in the year
415 2013, has his or her employment contract revised as follows:

416 (1) Any service person holding the braille or sign language specialist classification title has
417 that classification title renamed on his or her employment contract as either braille specialist or
418 sign support specialist. This action does not result in a loss or reduction of salary or supplement
419 by any employee. Any seniority earned in the braille or sign language specialist classification prior
420 to July 1, 2013, continues to be credited as seniority earned in the braille specialist or sign support
421 specialist classification;

422 (2) Any service person holding the paraprofessional classification title and holding the
423 initial paraprofessional certificate – educational interpreter has the title educational sign language
424 interpreter I added to his or her employment contract. This action does not result in a loss or
425 reduction of salary or supplement by any employee. Any seniority earned in the paraprofessional

426 classification prior to July 1, 2013, continues to be credited as seniority earned in the educational
427 sign language interpreter I classification; and

428 (3) Any service person holding the paraprofessional classification title and holding the
429 permanent paraprofessional certificate – educational interpreter has the title educational sign
430 language interpreter II added to his or her employment contract. This action does not result in a
431 loss or reduction of salary or supplement by any employee. Any seniority earned in the
432 paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned
433 in the educational sign language interpreter II classification;

434 (t) Any person employed as an aide in a kindergarten program who is eligible for full
435 retirement benefits before the first day of the instructional term in the 2020-2021 school year, may
436 not be subject to a reduction in force or transferred to create a vacancy for the employment of a
437 less senior early childhood classroom assistant teacher;

438 (u) A person who has held or holds an aide title and becomes employed as an early
439 childhood classroom assistant teacher shall hold a multiclassification status that includes aide
440 and/or paraprofessional titles in accordance with §18A-4-8b of this code.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.


.....
Clerk of the House of Delegates

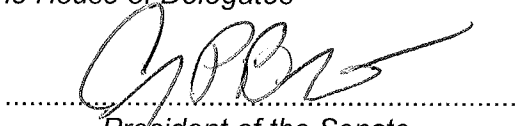

.....
Clerk of the Senate

Originated in the House of Delegates.

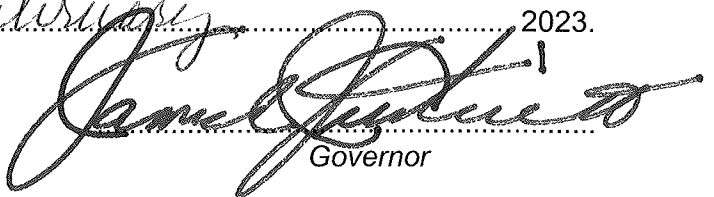
In effect from passage.

FILED
2023 FEB 22 PM 4:12
OFFICE OF THE CLERK OF THE SENATE
SECRETARY OF STATE


.....
Speaker of the House of Delegates


.....
President of the Senate

The within is *is approved* this the *22nd*
Day of *February* 2023.


.....
Governor

PRESENTED TO THE GOVERNOR

FEB 16 2023

Time 2:54pm