

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

House Bill 5252

BY DELEGATES COOPER AND TONEY

[Passed March 9, 2024; in effect ninety days from
passage.]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2024 MAR 27 A 11: 09

FILED

HB 5252

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

House Bill 5252

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2024 MAR 27 A 11: 09

FILED

BY DELEGATES COOPER AND TONEY

[Passed March 9, 2024; in effect ninety days from
passage.]

1 AN ACT to amend and reenact §18A-4-8 of the Code of West Virginia, 1931, as amended, relating
2 to generally to service personnel class titles and definitions; requiring persons employed
3 in a director or coordinator of services classification title as a director, assistant director,
4 or coordinator of transportation to possess a commercial driver's license within one year
5 of employment; providing exceptions; and removing outdated class title and terms.

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-4-8a
41 of this code, are defined as follows:

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

43 "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 "Class title" means the name of the position or job held by a service person;

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

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

62 "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 "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 "Aide III" means a service person referred to in the "Aide I" classification who holds a high
69 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 "Aide IV" means a service person referred to in the "Aide I" classification who holds a high
75 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 "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 "Aide VI (Behavioral Support Assistant Teacher – Temporary Authorization)" means a
98 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 classification
104 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 "Audiovisual technician" means a person employed to perform minor maintenance on
114 audiovisual equipment, films, and supplies and who fills requests for equipment;

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

118 "Autism mentor" means a person who works with students having been identified as a
119 person of autism and who meets standards and experience to be determined by the state Board.
120 A person who has held or holds an aide title and becomes employed as an autism mentor shall

121 hold a multiclassification status that includes both aide and autism mentor titles, in accordance
122 with §18A-4-8b of this code;

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

127 "Bus operator" means a person employed to operate school buses and other school
128 transportation vehicles as provided by the state board;

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

132 "Cabinetmaker" means a person employed to construct cabinets, tables, bookcases and
133 other furniture;

134 "Cafeteria manager" means a person employed to direct the operation of a food services
135 program in a school, including assigning duties to employees, approving requisitions for supplies
136 and repairs, keeping inventories, inspecting areas to maintain high standards of sanitation,
137 preparing financial reports, and keeping records pertinent to food services of a school;

138 "Carpenter I" means a person classified as a carpenter's helper;

139 "Carpenter II" means a person classified as a journeyman carpenter;

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

143 "Clerk I" means a person employed to perform clerical tasks;

144 "Clerk II" means a person employed to perform general clerical tasks, prepare reports and
145 tabulations, and operate office machines;

146 "Computer operator" means a qualified person employed to operate computers;

147 "Cook I" means a person employed as a cook's helper;

148 "Cook II" means a person employed to interpret menus and to prepare and serve meals
149 in a food service program of a school. This definition includes a service person who has been
150 employed as a "Cook I" for a period of four years;

151 "Cook III" means a person employed to prepare and serve meals, make reports, prepare
152 requisitions for supplies, order equipment and repairs for a food service program of a school
153 system;

154 "Crew leader" means a person employed to organize the work for a crew of maintenance
155 employees to carry out assigned projects;

156 "Custodian I" means a person employed to keep buildings clean and free of refuse;

157 "Custodian II" means a person employed as a watchman or groundsman;

158 "Custodian III" means a person employed to keep buildings clean and free of refuse, to
159 operate the heating or cooling systems and to make minor repairs;

160 "Custodian IV" means a person employed as a head custodian. In addition to providing
161 services as defined in "Custodian III" duties may include supervising other custodian personnel;

162 "Director or coordinator of services" means an employee of a county board who is
163 assigned to direct a department or division.

164 (A) Nothing in this subdivision prohibits a professional person or a professional educator
165 from holding this class title: *Provided*, That after July 1, 2024, all persons employed for the first
166 time in a position with this classification title as a director, assistant director, or coordinator of
167 transportation shall possess a commercial driver's license within one year of employment except
168 that this requirement shall not apply to persons who are multiclassified, hold multiple job titles, or
169 provide documentation from a physician that they have a medical diagnosis that renders them
170 physically unqualified to obtain a commercial driver's license;

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

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

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

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

183 "Draftsman" means a person employed to plan, design, and produce detailed
184 architectural/engineering drawings;

185 "Early Childhood Classroom Assistant Teacher I" means a person who does not possess
186 minimum requirements for the permanent authorization requirements, but is enrolled in and
187 pursuing requirements;

188 "Early Childhood Classroom Assistant Teacher II" means a person who has completed
189 the minimum requirements for a state-awarded certificate for early childhood classroom assistant
190 teachers as determined by the state board;

191 "Early Childhood Classroom Assistant Teacher III" means a person who has completed
192 permanent authorization requirements, as well as additional requirements comparable to current
193 paraprofessional certificate;

194 "Educational Sign Language Interpreter I" means a person employed to provide
195 communication access across all educational environments to students who are deaf or hard of

196 hearing, and who holds the Initial Paraprofessional Certificate – Educational Interpreter pursuant
197 to state board policy;

198 "Educational Sign Language Interpreter II" means a person employed to provide
199 communication access across all educational environments to students who are deaf or hard of
200 hearing, and who holds the Permanent Paraprofessional Certificate – Educational Interpreter
201 pursuant to state board policy;

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

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

206 "Electronic technician I" means a person employed to repair and maintain electronic
207 equipment;

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

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

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

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

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

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

225 "Graphic artist" means a person employed to prepare graphic illustrations;

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

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

231 "Heating and air conditioning mechanic I" means a person employed to install, repair and
232 maintain heating and air conditioning plants and related electrical equipment;

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

236 "Heavy equipment operator" means a person employed to operate heavy equipment;

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

239 "Licensed practical nurse" means a nurse, licensed by the West Virginia Board of
240 Examiners for Licensed Practical Nurses, employed to work in a public school under the
241 supervision of a school nurse;

242 "Locksmith" means a person employed to repair and maintain locks and safes;

243 "Lubrication man" means a person employed to lubricate and service gasoline or diesel-
244 powered equipment of a county school system;

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

248 "Mail clerk" means a person employed to receive, sort, dispatch, deliver or otherwise
249 handle letters, parcels, and other mail;

250 "Maintenance clerk" means a person employed to maintain and control a stocking facility
251 to keep adequate tools and supplies on hand for daily withdrawal for all school maintenance crafts;

252 "Mason" means a person employed to perform tasks connected with brick and block laying
253 and carpentry tasks related to these activities;

254 "Mechanic" means a person employed to perform skilled duties independently in the
255 maintenance and repair of automobiles, school buses and other mechanical and mobile
256 equipment to use in a county school system;

257 "Mechanic assistant" means a person employed as a mechanic apprentice and helper;

258 "Multiclassification" means a person employed to perform tasks that involve the
259 combination of two or more class titles in this section. In these instances, the minimum salary
260 scale is the higher pay grade of the class titles involved;

261 "Office equipment repairman I" means a person employed as an office equipment
262 repairman apprentice or helper;

263 "Office equipment repairman II" means a person responsible for servicing and repairing
264 all office machines and equipment. A person holding this class title is responsible for the purchase
265 of parts necessary for the proper operation of a program of continuous maintenance and repair;

266 "Painter" means a person employed to perform duties painting, finishing and decorating
267 wood, metal and concrete surfaces of buildings, other structures, equipment, machinery and
268 furnishings of a county school system;

269 "Paraprofessional" means a person certified pursuant to §18A-3-2a of this code to perform
270 duties in a support capacity including, but not limited to, facilitating in the instruction and direct or

271 indirect supervision of students under the direction of a principal, a teacher or another designated
272 professional educator.

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

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

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

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

287 "Plumber I" means a person employed as an apprentice plumber and helper;

288 "Plumber II" means a person employed as a journeyman plumber;

289 "Printing operator" means a person employed to operate duplication equipment, and to
290 cut, collate, staple, bind and shelve materials as required;

291 "Printing supervisor" means a person employed to supervise the operation of a print shop;

292 "Programmer" means a person employed to design and prepare programs for computer
293 operation;

294 "Roofing/sheet metal mechanic" means a person employed to install, repair, fabricate and
295 maintain roofs, gutters, flashing and duct work for heating and ventilation;

296 "Sanitation plant operator" means a person employed to operate and maintain a water or
297 sewage treatment plant to ensure the safety of the plant's effluent for human consumption or
298 environmental protection;

299 "School bus supervisor" means a qualified person:

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

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

305 "Secretary I" means a person employed to transcribe from notes or mechanical
306 equipment, receive callers, perform clerical tasks, prepare reports, and operate office machines;

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

314 "Secretary III" means a person assigned to the county board office administrators in
315 charge of various instructional, maintenance, transportation, food services, operations and health
316 departments, federal programs, or departments with particular responsibilities in purchasing and
317 financial control or any person who has served for eight years in a position which meets the
318 definition of "Secretary II" or "Secretary III";

319 "Sign Support Specialist" means a person employed to provide sign supported speech
320 assistance to students who can access environments through audition. A person who has held or
321 holds an aide title and becomes employed as a sign support specialist shall hold a

322 multiclassification status that includes both aide and sign support specialist titles, in accordance
323 with §18A-4-8b of this code.

324 "Supervisor of maintenance" means a skilled person who is not a professional person or
325 professional educator as defined in §18A-1-1 of this code. The responsibilities include directing
326 the upkeep of buildings and shops, and issuing instructions to subordinates relating to cleaning,
327 repairs and maintenance of all structures and mechanical and electrical equipment of a county
328 board;

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

337 "Switchboard operator-receptionist" means a person employed to refer incoming calls, to
338 assume contact with the public, to direct and to give instructions as necessary, to operate
339 switchboard equipment and to provide clerical assistance;

340 "Truck driver" means a person employed to operate light or heavy duty gasoline and
341 diesel-powered vehicles;

342 "Warehouse clerk" means a person employed to be responsible for receiving, storing,
343 packing, and shipping goods;

344 "Watchman" means a person employed to protect school property against damage or
345 theft. Additional assignments may include operation of a small heating plant and routine cleaning
346 duties;

347 "Welder" means a person employed to provide acetylene or electric welding services for
348 a school system; and

349 "WVEIS data entry and administrative clerk" means a person employed to work under the
350 direction of a school principal to assist the school counselor or counselors in the performance of
351 administrative duties, to perform data entry tasks on the West Virginia Education Information
352 System, and to perform other administrative duties assigned by the principal.

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

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

362 (l) Each county board shall review each service person's job classification annually and
363 shall reclassify all service persons as required by the job classifications. The state superintendent
364 may withhold state funds appropriated pursuant to this article for salaries for service personnel
365 who are improperly classified by the county boards. Further, the state superintendent shall order
366 a county board to immediately correct any improper classification matter and, with the assistance
367 of the Attorney General, shall take any legal action necessary against any county board to enforce
368 the order.

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

370 (1) Reclassified by class title; or

371 (2) Relegated to any condition of employment which would result in a reduction of his or
372 her salary, rate of pay, compensation or benefits earned during the current fiscal year; or for which

373 he or she would qualify by continuing in the same job position and classification held during that
374 fiscal year and subsequent years.

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

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

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

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

393 (r) Itinerant status means a service person who does not have a fixed work site and may
394 be involuntarily reassigned to another work site. A service person is considered to hold itinerant
395 status if he or she has bid upon a position posted as itinerant or has agreed to accept this status.
396 A county board may establish positions with itinerant status only within the aide and autism mentor
397 classification categories and only when the job duties involve exceptional students. A service
398 person with itinerant status may be assigned to a different work site upon written notice 10 days

399 prior to the reassignment without the consent of the employee and without posting the vacancy.
400 A service person with itinerant status may be involuntarily reassigned no more than twice during
401 the school year. At the conclusion of each school year, the county board shall post and fill,
402 pursuant to §18A-4-8b of this code, all positions that have been filled without posting by a service
403 person with itinerant status. A service person who is assigned to a beginning and ending work
404 site and travels at the expense of the county board to other work sites during the daily schedule,
405 is not considered to hold itinerant status.

406 (s) Any service person holding a classification title on June 30, 2013, that is removed from
407 the classification schedule pursuant to amendment and reenactment of this section in the year
408 2013, has his or her employment contract revised as follows:

409 (1) Any service person holding the Braille or Sign Language Specialist classification title
410 has that classification title renamed on his or her employment contract as either Braille Specialist
411 or Sign Support Specialist. This action does not result in a loss or reduction of salary or
412 supplement by any employee. Any seniority earned in the Braille or Sign Language Specialist
413 classification prior to July 1, 2013, continues to be credited as seniority earned in the Braille
414 Specialist or Sign Support Specialist classification;

415 (2) Any service person holding the Paraprofessional classification title and holding the
416 Initial Paraprofessional Certificate – Educational Interpreter has the title Educational Sign
417 Language Interpreter I added to his or her employment contract. This action does not result in a
418 loss or reduction of salary or supplement by any employee. Any seniority earned in the
419 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned
420 in the Educational Sign Language Interpreter I classification; and

421 (3) Any service person holding the Paraprofessional classification title and holding the
422 Permanent Paraprofessional Certificate – Educational Interpreter has the title Educational Sign
423 Language Interpreter II added to his or her employment contract. This action does not result in a
424 loss or reduction of salary or supplement by any employee. Any seniority earned in the

425 Paraprofessional classification prior to July 1, 2013, continues to be credited as seniority earned
426 in the Educational Sign Language Interpreter II classification;

427 (t) Any person employed as an aide in a kindergarten program who is eligible for full
428 retirement benefits before the first day of the instructional term in the 2020-2021 school year, may
429 not be subject to a reduction in force or transferred to create a vacancy for the employment of a
430 less senior Early Childhood Classroom Assistant Teacher;

431 (u) A person who has held or holds an aide title and becomes employed as an Early
432 Childhood Classroom Assistant Teacher shall hold a multiclassification status that includes aide
433 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.

Steve Harrison
.....
Clerk of the House of Delegates

Joe Lamm
.....
Clerk of the Senate

FILED
2024 MAR 27 A 11:09
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Originated in the House of Delegates.

In effect ninety days from passage.

Ben Harlow
.....
Speaker of the House of Delegates

C. P. Blaine
.....
President of the Senate

The within is *approved* this the *27th*
Day of *March* 2024.

James Perine
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 21 2024

Time 10:42am