

West Virginia School Service Personnel Association

2022 Legislative Update 1/28/2022



We have just completed the third full week of the 2022 Legislative Session. Below is a run down of those affecting Service Personnel and State Employees that have passed their first assigned Committee. On the following page you find a list of new bills for this session and carryover legislation from the 2021 session.

- ⇒ **SB 267**-The purpose of this bill is to clarify the authority of the county board of education to transport students in county owned and insured vehicles, and to provide that a parent, guardian or another adult may transport more than 16 students in privately owned vehicles. If passed this legislation will could take extra runs from bus operators. **(Senator Weld) (Passed Senate Education)**
- ⇒ **SB 227**-The purpose of this bill is to require county boards of education and county superintendents to comply with instructions of the State Board of Education with threat of withholding funds. **(Senator Rucker) (Passed Senate Education)**
- ⇒ **HB 4071**-The purpose of this bill is to prohibit schools, educational institutions, and elected or appointed local officials from making mandates concerning masks, COVID-19 testing and quarantining under certain circumstances for school students or school employees. **(Delegate Maynor) (Pending in House Judiciary)**
- ⇒ **HJR 102**-Any policy or rule made by the State Board of Education would be subject to legislative review, approval, amendment or rejection. If passed this referendum would have to be voted on by the general population before becoming law. **(Delegate Espinosa) (Pending in House Judiciary)**
- ⇒ **SB 261**-The purpose of this bill is to clarify procedures for cameras in special education classrooms. This bill would require an administrator to review at least 15 minutes of video every 90 days, video footage must be kept for a calendar year, video footage does not have to be deleted, and video footage must be made available within 7 days when requested by DHHR or law enforcement. **(Senator Nelson) (On third reading in the Senate)**



New Legislation for the 2022 Legislative Session

- ⇒ **HB 4102**-The purpose of this bill is to provide an optional lump sum payment of accrued personal leave to full-time employees of a county school board upon termination of full-time employment. **(Delegate Toney)**
- ⇒ **HB 4103**-Permit a beneficiary under the State Teachers Retirement System to convert to the maximum life annuity if the spouse dies within the first five years of the beneficiary's retirement. **(Delegate Toney)**
- ⇒ **HB 4310**-Specifying when a public employee's spouse may be covered by PEIA and to allocate cost sharing between employers and participants in PEIA premiums applicable to dual covered spouses. **(Delegate Steele)**
- ⇒ **SB 276**-The purpose of this bill is to authorize the Division of Personnel to promulgate a legislative rule relating to the Administrative Rule of the West Virginia Division of Personnel. **(Senator Sypolt)**
- ⇒ **HB 4380**-Similar to SB 267 this bill increases the number of ten-passenger vehicles which may be used for any school-sponsored activity and clarifying that busses shall be used to transport eighteen or more passengers. **(Delegate Barrett)**

Carryover Legislation from the 2021 Legislative Session

- ⇒ **HB 2089**-Defining a work day for school service personnel and removing a provision relating to employment of licensed practical nurses. This makes all service personnel hourly and allow employees to be RIFed to hire an LPN. **(Delegate Martin)**
- ⇒ **HB 2143**-The purpose of this bill is to declare the need for retired bus operators as substitutes and allow retired bus operators to work as substitutes without affecting their monthly retirement benefit. **(Delegate Toney)**
- ⇒ **HB 2144**-The purpose of this bill is to modify the definitions and raise the pay grades of certain school cafeteria personnel. **(Delegate Toney)**
- ⇒ **HB 2155**-The purpose of this bill is to create three separate job titles for school bus operators based on years of service with a raise in paygrade. **(Delegate Toney)**
- ⇒ **HB 2712**-The purpose of this bill is to modify the school instructional calendar to begin not earlier than Labor Day and end prior to Memorial Day. **(Delegate J. Kelly)**
- ⇒ **HB 2800**-The purpose of this bill is to open an enrollment period of 11 months in which certain members of the Public Employees Retirement System may purchase previously forfeited service credit. **(Delegate Dean)**
- ⇒ **HB 2815**-Requiring air conditioning on all school buses. **(Delegate Maynard)**
- ⇒ **HB 3102**-The purpose of this bill is to require candidates for employment as director of transportation for a county school district to have a minimum of two years' experience as a bus operator. **(Delegate Cooper)**
- ⇒ **SB 21**-The purpose of this bill is to prohibit the net enrollment be set below 1,200 students to provide smaller counties additional funding. **(Senator Clements)**
- ⇒ **SB 146**-The purpose of this bill is to require entities and parties to uphold and apply the Superintendent of Schools' interpretation of school law and State Board of Education rules. **(Senator Weld)**
- ⇒ **SB 230**-The purpose of this bill is to require a notarized grievance form; outline the grievance motion to dismiss procedure; provide for the payment of attorney's fees; and provide requirements for West Virginia Public Employees Grievance Board appointees. **(Senator Rucker)**

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