

West Virginia School Service Personnel Association

2022 Legislative Wrap Up



The 2022 Legislative Session officially ended at midnight on March 12, 2022. Below is a listing of Bills that we have been watching closely. First you will see passed legislation followed by bills that failed. Please keep in mind most bills listed must still be signed by the Governor.

Completed Legislation:

- ⇒ **HJR 102**-Any policy or rule made by the State Board of Education would be subject to legislative review, approval, amendment or rejection. This bill was amended to remove the language pertaining to original appointments of the State board of Education members. This Bill will be placed on the ballot in the next General Election. **(Delegate Espinosa)**
- ⇒ **HB 4380**-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 nineteen or more passengers. This legislation allow professional or service school employees to drive two vehicles with up to 9 students in each vehicle. It also allows parents/guardians to transport students with signed permission. **(Delegate Barrett) Effective From Passage**
- ⇒ **HB 4562**-The purpose of this bill is to clarify the process of the suspension and dismissal of school personnel by board and the appeals process. This Legislation simply codifies the suspension and administrative leave process that is currently used in the school system. **(Delegate Kessinger)**
- ⇒ **SB 531**-Increasing annual salaries of certain state employees. This legislation provides for a 5% pay increase for all state employees with a Pay Scale in WV State Code. This includes service personnel, they will receive \$122.00 a month. Similar to recent pay increases the 5% is based on a low average of service personnel salaries. **(Governor Justice) Effective July 1, 2022**
- ⇒ **HB 4829**-This legislation clarifies and codifies job duties of school cafeteria personnel. **(Delegate Toney)**



Completed Legislation Continued:

- ⇒ **SB 261**-The purpose of this bill is to clarify procedures for cameras in special education classrooms. This bill will 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) Effective From Passage**

Failed Legislation:

- ⇒ **HB 4105**- A service employee who is certified as a Director or Supervisor of Pupil Transportation by the NAPT is eligible for any professional employee position involving supervision of a county transportation department and must be considered by the BOE for a Director or Supervisor position. **This Bill was passed by House and died in Senate Rules committee. (Delegate Toney)**
- ⇒ **SB 230**-The purpose of this bill is to require a notarized grievance form and outline the grievance motion to dismiss procedure. This would also provide for the payment of attorney's fees up to \$1000 if the ALJ found the grievance was frivolous or malicious. This would prohibit a grievance if the event is related to a declared state of emergency. In addition the Department of Personnel cannot be named in a grievance. **Passed the Senate and voted down by the House of Delegates. (Rucker)**
- ⇒ **HB 4467**-The purpose of this bill was to provide additional classroom social/emotional and academic support for first and second grade pupils by requiring an early childhood classroom assistant teacher in first and second grade classrooms that have more than 12 pupils. **This bill has passed House then died pending in Senate Finance. (Speaker Hanshaw)**
- ⇒ **HB 4580**-The purpose of this bill is to allow for the reemployment of retired bus operators, cooks and aides. It had been amended to only include bus operators. This would classify them as critical need and allow them to substitute without penalty to their retirement. **This bill has passed House then died pending in Senate Finance. (Delegate Graves)**
- ⇒ **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. **This bill has passed the House then died pending in Senate Judiciary. (Delegate Maynor)**
- ⇒ **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. This legislation will require the Grievance Board to give "significant deference" to the interpretation given by the State Superintendent when deciding a grievance. This will force many cases to the circuit court or Intermediate Court of Appeals to overturn the interpretation given by the State Superintendent. **This bill has passed the Senate then died pending in House Judiciary . (Senator Weld)**
- ⇒ **SB 509**-The purpose of this bill is to provide that county board of education employee personal leave be accrued as earned throughout the employment term at the end of each pay period instead of being accrued at the beginning of the employment term. This bill was amended to allow a County Superintendent to front a first year employee leave in the event of a catastrophic event. **This bill has passed the Senate then died pending in House Education. (Senator Rucker)**

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