

WEST VIRGINIA  
SECRETARY OF STATE

JOE MANCHIN, III

ADMINISTRATIVE LAW DIVISION

Form #5

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FILED

2007 FEB 15 P 2:56

WEST VIRGINIA  
SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W. Va. Constitution, Article XII, § 2, W. Va. Code §18-2-5 and §18A-4-2a.

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE \_\_\_\_\_

EXEMPT LEGISLATIVE RULE X  
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW  
W. Va. Code §§ 29A-3B-1, et seq.; W. Va. Board of Education  
v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988).

AMENDMENT TO AN EXISTING RULE: YES X NO \_\_\_\_\_

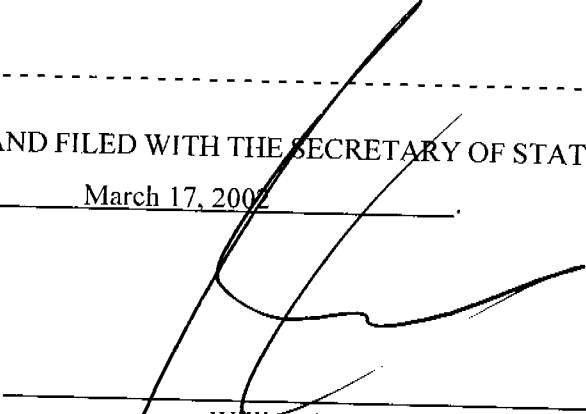
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 137

TITLE OF RULE BEING AMENDED: National Board for Professional Teaching Standards  
Certification Reimbursement/Salary Bonus Program (5203)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS March 17, 2007

  
\_\_\_\_\_  
William J. Luff, Jr.  
Deputy State Superintendent of Schools

SCANNED

**POLICY 5203: NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARD  
CERTIFICATION REIMBURSEMENT/SALARY BONUS PROGRAM**

**EXECUTIVE SUMMARY**

**Public Comment Period Ended:** January 21, 2002

**Adopted by the State Board:** February 14, 2002

**Background:**

In 1987, the National Board for Professional Teaching Standards (NBPTS) was established. The mission of the NBPTS is to certify teachers who meet high and rigorous standards based on the knowledge and skills that accomplished teacher should have. Since this program began, many states have established laws and regulations that recognize and reward teachers who choose to complete this voluntary certification process. During the 2001 session, the West Virginia Legislature passed legislation to provide additional financial support to public school classroom teachers who participate in this rigorous program.

Policy 5203 establishes the National Board for Professional Teaching Standards Certification Reimbursement and Salary Bonus Program. The major provisions of this policy include:

- Reimbursement of half the fee to the first 200 classroom teachers annually who enroll in the National Board for Professional Teaching Standards Certification Program.
- Reimbursement of half the fee to classroom teachers who complete the National Board for Professional Teaching Standards Certification Program.
- Reimbursement of actual expenses, up to a maximum of \$600.00, to any classroom teacher who achieves National Board for Professional Teaching Standards Certification.
- A \$2,500.00 annual bonus for any classroom teacher who achieves National Board for Professional Teaching Standards Certification. The bonus shall be paid for the life of the certificate, not to exceed ten years for any one license.
- Reimbursement shall not be available to any classroom teacher for that portion of any subsidy received from a third-party payer. If a classroom teacher receives a subsidy from

a third party payer for a portion of the enrollment fee, he or she may be eligible for reimbursement of the balance of the fee upon completion of the National Board for Professional Teaching Standards Certification Program.

**Funding:**

- The West Virginia Department of Education shall administer the funding for the National Board for Professional Teaching Standards from an appropriation established for this purpose by the West Virginia Legislature. However, this policy does not require any level of appropriation by the Legislature or create any entitlement of payment if there is no appropriation.

**Recommended Revisions:**

- Several modifications have been made to §126-137. One change increases the number of enrollees eligible for reimbursement from 100 each school year to 200. Additionally, the allowable amount for reimbursement upon enrollment was changed from \$1000 to half the fee. The allowable amount for reimbursement upon completion was changed from \$1000 to half the fee. Also, the annual salary supplement was increased from \$1000 annually for the life of the certificate to \$2500. This supplement is to be paid in equal monthly installments instead of one lump payment at the conclusion of the first semester of each school year.

**Summary of Comments:**

- There were no comments received.

FILED

TITLE 126  
LEGISLATIVE RULE  
BOARD OF EDUCATION

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SERIES 137  
NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS  
CERTIFICATION REIMBURSEMENT/SALARY BONUS PROGRAM (5203)

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§126-137-1. General.**

1.1. Scope. - This policy establishes the National Board for Professional Teaching Standards (NBPTS) Certification Reimbursement and Salary Bonus Program for classroom teachers employed in West Virginia public schools.

1.2. Authority. - W.Va. Constitution, Article XII, §2; W.Va. Code §18-2-5 and §18A-4-2a.

1.3. Filing Date. - February 15, 2002.

1.4. Effective Date. - March 17, 2002.

1.5. Repeal of former rule. This procedural rule repeals and replaces WV 126CSR137 "National Board for Professional Teaching Standards Certification Reimbursement/Salary Bonus Program" filed November 8, 1999 and effective December 8, 1999.

**§126-137-2. Purpose.**

2.1. The purpose of this legislative rule is to recognize and reward public school classroom teachers, as defined in W.Va. Code §18A-1-1, who achieve certification through the NBPTS and to create a reimbursement program which provides financial assistance to those classroom teachers who participate in this rigorous program.

**§126-137-3. Funding.**

3.1. Funding for the NBPTS Certification Program shall be administered by the West Virginia Department of Education from an appropriation established for this purpose by the West Virginia Legislature.

3.2. If the legislative appropriation is insufficient, the West Virginia Department of Education shall prorate the reimbursement for expenses and salary bonuses and shall request sufficient funds, including needed retroactive payments, from the Legislature at its next regular session.

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3.3. This policy shall not be construed to require any level of appropriation by the Legislature or to create any entitlement of payments pursuant to the provisions of W.Va. Code §18A-4-2a.

### **§126-137-4. Limitations.**

4.1. The number of classroom teachers eligible for reimbursement for enrollment in the NBPTS Certification Program shall be limited to 200 teachers each school year (July 1 - June 30). These teachers shall be reimbursed on a first come-first served basis.

4.2. A classroom teacher who receives a subsidy from the NBPTS or any other third party payer shall not be entitled to reimbursement by the West Virginia Department of Education. Only expenses incurred personally by the candidate shall be reimbursable.

4.3. A classroom teacher may be reimbursed only once for enrollment in and once for completion of the NBPTS Certification Program.

4.4. A classroom teacher who achieves NBPTS Certification may be reimbursed a maximum of \$600.00 for actual expenses incurred while obtaining the certification.

4.5. Effective July 1, 2001, a classroom teacher who holds a valid certificate issued by the NBPTS shall be paid \$2,500.00 annually for the life of the certificate, but in no event for more than ten years for any one certification. The payments shall be in addition to any amounts prescribed in the applicable state minimum salary schedule, shall be paid in equal monthly installments, and shall be considered a part of the state minimum salaries for teachers.

### **§126-137-5. Procedures for Reimbursement/Salary Bonus.**

5.1. A classroom teacher who enrolls in the NBPTS Certification Program may submit a request for reimbursement of one-half of the fee by submitting the appropriate application to the West Virginia Department of Education with a copy of the canceled check verifying payment of the portion of the assessment fee for which reimbursement is requested and documentation that the candidate is enrolled in the NBPTS Certification Program. This reimbursement shall be limited to the first 200 teachers who apply each school year.

5.2. A classroom teacher who completes the NBPTS Certification Program may submit a request for reimbursement of one-half of the fee by submitting the appropriate application to the West Virginia Department of Education with a copy of the canceled check verifying payment of the portion of the assessment fee for which reimbursement is requested and documentation that the teacher has completed the NBPTS Certification Program.

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5.3. A classroom teacher who achieves NBPTS Certification may submit a request for reimbursement of actual expenses incurred, up to a maximum of \$600.00, by submitting the appropriate application to the West Virginia Department of Education with documentation that the teacher has achieved NBPTS Certification and original receipts for the expenses incurred.

5.4. A classroom teacher who achieves NBPTS Certification shall be granted an annual salary bonus of \$2,500.00 for the life of the certificate, up to ten years, providing he/she submits the appropriate application to the West Virginia Department of Education with documentation that the teacher has achieved NBPTS Certification.

