



# AFT-West Virginia 2017 Legislative Update

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Tuesday, April 11, 2017

## STILL NO BUDGET AS SESSION CONCLUDES

Despite repeated attempts by Governor Jim Justice to engage in serious negotiations with legislative leaders, the 2017 Legislative Session concluded without an agreement on a budget. While the House and Senate each passed versions of a budget, the two chambers are far apart from each other and the Governor's vision for a state budget. Neither the House nor Senate addressed the PEIA shortfall and Republican leadership stripped Governor Justice's pay raise for education employees from HB 2711.



## Major Education Changes Passed

[HB 2711](#) is the Governor's bill and contains a host of changes for our school systems. This bill initially included pay raises for education employees, but unfortunately the raises were removed from the bill before it went to a floor vote. The bill has some positive provisions for educators, including language to protect planning periods for teachers. It also allows more flexibility in the school calendar, permitting accrued time or alternative instruction methods to meet 180 days of instruction. Faculty senate days increase to six per year. HB 2711 eliminates the OEPA and reduces standardized testing, mandating the accountability system must be based on multiple measures. The bill eliminates RESAs by July 2018, and establishes Educational Services Cooperatives to allow county boards of education to coordinate, cooperate and share services.

*Click the photo to watch AFT-WV President Christine Campbell on WV Public Broadcasting's "Final Hours" Broadcast.*

## Troublesome Bills Passed

### Paycheck Deception

[SB 239](#) requires annual reauthorization for voluntary payroll deductions requested by employees, including union dues, credit unions and banks, Christmas club accounts and charities. Despite the outcry from business representatives, WV state police association, non-profit organizations and labor organizations, the bill passed. SB239 is a clear government overreach into employer-employee decisions, and an attack on labor organizations in an attempt to stifle the voices of working families.

### "Tim Tebow" bill

[HB 2196](#), referred to as the Tim Tebow bill, allows home schooled students to participate in WVSSAC sanctioned activities. The bill also permits parochial or private school students to participate in WVSSAC activities if their schools do not have activities available. All WVSSAC rules will need to be rewritten to address the complexities this bill creates.

### PEIA Finance Board

[SB 221](#) changes the composition of PEIA Finance Board from 10 to 8 members and eliminates the seat on the Board designated for organized labor. It also changes criteria for Board members to prevent education, public employee and retiree groups' elected leaders and lobbyists from serving on the Board. This bill is another attack on education and public employees, silencing the input of PEIA stakeholders in their health care decisions.



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## **All bills of interest to education and public employees that PASSED**

<a href="#">SB 40</a>	Requiring protocols for response to after-school emergencies in school crisis response plans
<a href="#">SB 186</a>	Adjusting eligibility date for certain school programs and school attendance requirement
<a href="#">SB 224</a>	Repealing requirement for employer's bond for wages and benefits
<a href="#">SB 231</a>	Relating to State Board of Education and Medicaid-eligible children
<a href="#">SB 321</a>	Reporting requirements of employee information to CPRB
<a href="#">SB 388</a>	Relating to dangerous weapons
<a href="#">SB 630</a>	Establishing Accessibility and Equity in Public Education Enhancement Act
<a href="#">SB 656</a>	Relating to Student Data Accessibility, Transparency and Accountability Act
<a href="#">HB 2195</a>	Relating to requiring comprehensive drug awareness and prevention program in all public schools
<a href="#">HB 2196</a>	Relating to the secondary schools athletic commission
<a href="#">HB 2373</a>	Authorizing school bus drivers trained in administration of epinephrine auto-injectors to administer auto-injectors
<a href="#">HB 2494</a>	Providing that statewide school report cards are only to be made available to custodial parents/guardians upon request
<a href="#">HB 2542</a>	Relating to public higher education personnel
<a href="#">HB 2561</a>	Relating to public school support
<a href="#">HB 2586</a>	Relating to required minimum distribution of retirement benefits of plans administered by the Consolidated Public Retirement Board
<a href="#">HB 2589</a>	Permitting students who are homeschooled or attend private schools to enroll and take classes at the county's vocational school
<a href="#">HB 2637</a>	Relating to employment of retired teachers and prospective employable professional personnel in areas of critical need and shortage
<a href="#">HB 2702</a>	Relating to excused absences for personal illness from school
<a href="#">HB 2704</a>	Prohibiting persons convicted of sexual offenses against children with whom they hold positions of trust from holding certification or license valid in public schools
<a href="#">HB 2771</a>	Relating to temporary teaching certificates for Armed Forces spouses
<a href="#">HB 2815</a>	Relating to higher education governance
<a href="#">HB 3080</a>	Requiring instruction in the Declaration of Independence and the United States Constitution



### **Close Calls**

***Bad bills that did not pass during the session***

#### **Refinancing the Teachers Retirement System**

[HB 2817](#) would have refinanced the unfunded liability of the Teachers Retirement System, ultimately costing the state over \$1.5 billion.

#### **School Vouchers**

Committee Substitute for [SB 273](#) would have opened the door to school vouchers in WV, and the defunding of public education.

#### **Public Education Funding Cuts**

[SB 609](#) would have cut state pre-K through 12 public education funding by \$79.3 million and automatically raise counties' regular levy property tax rates to make up for the loss.

#### **PEIA- Eliminating 80/20 Split**

[HB 2871](#) The original version of this bill eliminated the mandated employer versus employee cost share (80/20 split) for PEIA coverage and set a maximum cost sharing threshold of 60/40.

#### **Seniority and the Transfer Process**

[SB 401](#) would have allowed county boards of education to disregard seniority in RIF/transfer decisions. [HB 2738](#) would have changed the transfer process of school personnel. The activism of our members played a key role in stopping these harmful pieces of legislation. Your calls and emails made a difference!



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