

VACANCIES – PROFESSIONAL POSITIONS

Openings in established, existing or newly created positions shall be processed as follows:

- A. The Board of Education shall post and date vacancy notices of each opening at least once. However, at its discretion, the Board may post an opening for a position other than a classroom teacher more than once in order to attract more qualified applicants.

Further, at its discretion, the Board may post an opening for a classroom teacher one additional time after it has first posted the position in order to attract more qualified applicants, but only if fewer than three (3) qualified individuals applied during the initial posting. If no applicant meets the qualifications set forth in the job posting, the Board may continue to post or repost without limitation.

The Superintendent shall have the authority to determine whether a professional position will be reposted. These provisions shall apply to both regular professional positions and extra-curricular professional positions.

1. Each notice shall be posted in conspicuous working places for all professional personnel to observe for at least five (5) working days. Notice may also be posted to the

West Virginia Department of Education Job Bank Website.

However, should there be any discrepancy between or among the postings, the printed postings in the working places of professional employees shall remain the official posting with which all applicants must comply.

2. At least one (1) notice shall be posted within twenty (20) working days of the position openings and shall include the job description. The Board shall not declare a position vacant and post a job opening sooner than ten (10) days following the death of an individual employed in that position.
 3. Any special criteria or skills that are required by the position shall be specifically stated in the job description and directly related to the performance of the job.
 4. Postings for vacancies made pursuant to this section shall be written so as to ensure that the largest possible pool of qualified applicants may apply.
 5. Job postings may not require criteria which are not necessary for the successful performance of the job and may not be written with the intent to favor a specific applicant.
- B. No vacancy shall be filled until after the five (5) day minimum posting period of the most recent posted notice of the vacancy.
- C. If one (1) or more applicants under all the postings for a vacancy meets the qualifications listed in the job posting, the successful applicant to fill the vacancy shall be selected by the Board within thirty (30) working days of the end of the first posting period.
- D. A position held by a certified and/or licensed teacher who has been issued a permit for full-time employment and is working toward certification in the permit area shall not be subject to posting if the certificate is awarded within five (5) years.
- E. Nothing provided herein shall prevent the Board from eliminating a position due to lack of need.

- F. Upon recommendation of the Principal and approval by the classroom teacher, Superintendent, and Board, a classroom teacher assigned to the school may at any time during the school year be assigned to a new or existing classroom teacher position at the school during the school year without the position being posted. This provision shall not apply to vacancies that will occur in the ensuing year or other future years.

- G. Each year, provided there are no provisions of State law to the contrary, for any vacancy in an established, existing or newly created position that, on or before March 1, is known to exist for the ensuing school year, upon recommendation of the Superintendent, the Board shall appoint the successful applicant from among all qualified applicants for the position for which they are qualified and shall be considered before posting such vacancies for applications by nonemployees. This provision shall not preclude a Board from posting and filling vacancies that exist in the current school year nor shall it supersede or alter the operation of WV Code 18A-4-8f or WV Code 18A-4-8i.

All positions shall identify under a separate heading "Minimum Qualifications" listing certification requirements and that may list other requirements for which it has been determined that a candidate hold to be deemed minimally qualified.

Professional employees who have been placed on the preferred recall list shall be provided with notice by certified mail to their last known address of vacancies for which they are qualified. It shall be the duty of each professional employee on the preferred recall list to notify the Board of continued availability annually, of any change in address or in any change in certification and/or licensure. Any employee failing in duty shall be notified by certified mail to his or her last known address that they will be removed from the preferred recall list unless good cause is shown, within thirty (30) days, as to why they should not be removed from the preferred recall list. If good cause is not shown within the prescribed time, the Superintendent shall remove the employee from the recall list. If an employee accepts full-time employment with another board, he or she shall be removed from the preferred recall list. Provided, however, the failure of an employee on the preferred recall list to make application for an available position shall not be grounds for removal from the preferred recall list.

Where the total number of classroom teaching positions in an elementary school does not increase from one (1) school year to the next, but there exists in that school a need to realign the number of teachers in one (1) or more grade levels, kindergarten through six, teachers at the school may be reassigned to grade levels for which they are certified without that position being posted if the employee and the Board mutually agree to the reassignment.

West Virginia State Board of Education policy 5000
WV Code 18A-4-7a, 18A-4-21