

REVISED POLICY - VOL. 9, NO. 2

CONTINUING CONTRACT – SERVICE PERSONNEL

After three (3) years of acceptable employment, all service personnel who enter into a new contract of employment shall be granted continuing contract status. A year of experience shall require successful employment for at least 133 days during a school year.

A service personnel employee holding a continuing contract status with one (~~1~~) ~~county district~~ shall be granted continuing contract status with any other ~~county district~~ upon completion of one (1) year of acceptable employment if such employment is during the next succeeding school year or immediately following an approved leave of absence ~~extending which extends~~ no more than one (1) year.

The continuing contract of any service personnel employee shall remain in full force and effect except as modified by mutual consent of the school board and the employee, unless and until terminated:

- A. by a majority vote of the full membership of the Board ~~prior to on or before~~ the first day of ~~March-May~~ of the then current year, after written notice, served upon the employee, return receipt requested, stating cause or causes and an opportunity to be heard at a meeting of the Board prior to the Board's action;
- B. by written resignation of the employee on or before to the first day of ~~February~~ ~~May~~;
- C. by mutual consent, at any time, of the School Board and the employee;
- D. by termination pursuant to WV Code 18A-2-8;

- E. By dismissal based upon the lack of need for the employee's services. The written notification of employees being considered for dismissal for lack of need shall be limited only to those employees whose consideration for dismissal is based upon known or expected circumstances which will require dismissal for lack of need. An employee who was not provided notice and an opportunity for a hearing pursuant to Section (A) of this policy may not be included on the list. In case of such dismissal, the employee so dismissed shall be placed upon a preferred list in the order of their length of service with that board, and no employee shall be employed by the Board until each qualified employee upon the preferred list, in order, shall have been offered the opportunity for re-employment in a position for which they are qualified provided that s/he has not accepted a position elsewhere. Such re-employment shall be upon an employee's preexisting continuing contract and shall have the same effect as through the contract had been suspended during the time the employee was not employed.

In the assignment of position or duties of an employee under a continuing contract, the Board may provide for released time of an employee for any special professional or governmental assignment without jeopardizing the contractual rights of such employee or any other rights, privileges or benefits. Released time shall be provided for any service personnel employee while serving as a member of the Legislature during any duly constituted session of that body and its interim and statutory committees and commissions without jeopardizing his/her contractual rights or any other rights, privileges, benefits or accrual of experience for placement on the State minimum salary schedule in the following school year under the provisions of State law and Board policy. An employee who is a member of the Legislature ~~() will~~ **(X)** will not receive pay from the Board while executing legislative duties. Such employee may use vacation days, if applicable, or personal leave (not sick) for that purpose, if desired. An employee, who is granted leave under this policy, shall accrue seniority during the period of time that the employee is on this board-approved leave of absence.

WV Code 18A-2-6
WV Code 18A-2-6a
WV Code 18A-2-8

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