

Kanawha County Board of Education Policy

Series G51 Reduction in Force

Reference: West Virginia Code Section 18A-4-7a Issued: 10.21.1993

Revised: 12.13.2001; 12.05.2011; 08.06.2018, 10.17.2019

Revision: 4

51.1 Definitions.

51.1.A. “Administrative Seniority” means the number of school years, or fractions thereof, which an employee has been employed as either an assistant principal, principal or central office administrator. Employment in an administrative position for the full 200 day employment term for teachers in a school year shall be deemed to be employment in such position for a full school year.

51.1.B. “Lateral area” - For the purposes of complying with the requirements of West Virginia Code 18A-4-7a the term "lateral" shall be defined and applied as follows:

51.1.B.1. Employment as an elementary principal shall be deemed an area of lateral employment to principals of either elementary school or middle school. In the event of a reduction in the number of elementary principals, any principal subject to release shall be entitled to displace a middle school principal or an elementary or middle school assistant principal with less administrative seniority in inverse order of seniority.

51.1.B.2. Employment as a middle school principal shall be deemed an area of lateral employment to principals of either elementary school, middle school, high school or vocational, technical or adult school. In the event of a reduction in the number of middle school principals, any principal subject to release shall be entitled to, if they have the appropriate certification, displace an elementary, high school or vocational, technical and adult principal or elementary, middle, high school or vocational, technical or adult assistant principal with less administrative seniority in inverse order of seniority.

51.1.B.3. Employment as a high school principal or vocational, technical or adult school principal shall be deemed an area of lateral employment to principals of middle school, high school or vocational, technical or adult schools. In the event of a reduction in the number of high school, vocational, technical or adult school principals, any principal subject to release shall be entitled to, if they have the appropriate certification, displace a middle school principal or a high school, vocational, technical or adult assistant principal with less administrative seniority in inverse order of seniority.

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- 51.1.B.4.** Employment as an elementary assistant principal shall be deemed an area of lateral employment to elementary and middle school assistant principals. In the event of a reduction in the number of elementary assistant principals, any assistant principal subject to release may displace a middle school assistant principal with less administrative seniority in inverse order of seniority.
- 51.1.B.5.** Employment as a middle school assistant principal shall be deemed an area of lateral employment to assistant principals in elementary, middle school, high school or vocational, technical and adult school. In the event of a reduction in the number of middle school assistant principals, any assistant principal subject to release may displace an elementary, high school or vocational, technical or adult school assistant principal with less administrative seniority, in inverse order of seniority.
- 51.1.B.6.** Employment as a high school assistant principal or vocational, technical or adult school assistant principal shall be deemed an area of lateral employment to middle school, high school, vocational, technical or adult school assistant principals. In the event of a reduction in the number of high school, vocational, technical or adult school assistant principals, the assistant principal subject to release may displace a middle school assistant principal with less administrative seniority, in inverse order of seniority.
- 51.1.B.7.** When a principal is subject to release, such principal shall displace less senior administrators in the following order: principals at other lateral areas, assistant principals at the principal's same level and assistant principals at other lateral areas.
- 51.1.B.8.** The employment of professional personnel, other than classroom teachers, principals, and assistant principals, in position of like rank, in terms of title, nature of responsibilities, and salary level shall be deemed employment in a lateral area.

51.1.C. Reduction in force vacancy - Means a vacancy which is created for the purpose of accommodating the placement of an employee who, by virtue of seniority, certification, licensure, and performance evaluations is entitled to

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employment in a position in connection with a reduction in force.

51.1.D. “Employment in a position where previously employed” - Means the employment of a professional employee in a classification of employment of previous employment as contrasted with employment in an exact position of previous employment.

51.2. Reduction In Force Steps. The following steps shall be observed in staffing schools, adjusting other professional personnel assignments and, if necessary, accomplishing a reduction in force:

51.2.A. Each year the Department of Human Resources, in conjunction with the Deputy Superintendent and all of the relevant Assistant Superintendents in Kanawha County, shall determine the staffing levels of each school in accordance with Kanawha County Schools' policies.

51.2.B. Each year the Superintendent shall determine any recommended reductions or additions of other professional personnel positions.

51.2.C. Each year all persons who are recommended for transfer shall be identified and placed on the transfer list.

51.2.D. Each year all vacancies which are to be filled relative to the staffing needs of the next ensuing school year shall be identified and advertised, including all positions held by employees teaching on permit, who have not obtained certification within five years.

51.2.E. In the event there are not_a sufficient number of vacancies ~~are not~~ available to accommodate those persons on the transfer list, the Department of Human Resources shall ascertain the seniority, areas of certification held by each employee, licensure, and performance evaluations from the last two consecutive school years, for the persons recommended for transfer.

51.2.F. On or before the date prescribed by applicable law, all employees who are required to be placed on transfer shall be notified in a timely fashion and provided with an opportunity to be heard by the Board.

51.2.G. The Department of Human Resources shall then ascertain the least senior professional employees according to areas of certification needed to accommodate more senior employees who are on the transfer list and who have not had unsatisfactory evaluations for the previous two consecutive school years.

51.2.H. Reduction in force vacancies shall be filled by matching the most

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senior employee who has the relevant certifications and who have not had unsatisfactory evaluations for the previous two consecutive school years with the position vacated by the least senior employee in the relevant area of certification.

51.2.I. On or before the date prescribed by applicable law, all employees who are required to be reduced shall be so notified in a timely fashion and provided with an opportunity to be heard by the Board.

51.3. Effect of Policy. Nothing within this policy shall be construed to confer any rights upon school employees beyond those rights conferred by statute.