

Policy 5000, Procedures for Designated Hiring and Transfer of School Personnel
 Comment Log

First Comment Period: January 11, 2017 - February 10, 2017

Second Comment Period: March 9, 2017 - April 10, 2017

10.1. Notwithstanding any other provision of W. Va. Code to the contrary, upon recommendation of the principal and approval by the classroom teacher, county superintendent, and county 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 that 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.

school years are addressed in section 12.

WV Code 18A-4-7a

(t) Notwithstanding any other provision of this code to the contrary, upon recommendation of the principal and approval by the classroom teacher and county board, a classroom teacher assigned to the school may at any time be assigned to a new or existing classroom teacher position at the school without the position being posted.

2017-01-30
 15:42:53
 Alicia

I have had 28 first graders since the beginning of the year. I hate this idea because the fourth grade has 28 students and they were divided. This is because the principal didn't want them to have too many. How is that fair? I have taught every grade and you need small classes on the lower grades.

NA/o

This section allows reassignments to occur in any grade necessary to comply with pupil-teacher ratios, class size or caseload standards established in statute or WVBE policy.

I agree with WV-AFTs recommendations:
 AFT-WV recommends:

NA/o

Sections 9, 10, and 12 do not address the faculty senate options. The single designee is only one option a faculty senate may choose. The change in section 9 brings the date into compliance with state code. The change to section 10 corrects a code citation. The last sentence in

2017-01-30
 18:44:36
 Courtney Ostaff
 Morgantown WV

1. Revising the single designee choice in the policy so it aligns with state code. WV Code 18-5A-5(b)(2)(D) mandates a committee of no less than three members.
2. The documentation for the selection of the applicant should be required on the form for every posted vacancy.
3. Policy 5000 proposed revisions add more exclusive language than

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current state code and also inserted the county superintendent into the mix. Below are both the proposed policy and current state law to view the discrepancies.

section 10 will be removed because vacancies for the ensuing school years are addressed in section 12.

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A/+

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2017-03-24
 15:16:08
 Amanda Teacher
 West Virginia Public School
 Shinnston West

Agreed

A/+

2017-01-31
 09:15:26
 Debbie Richards
 ECCAT
 Wood County Schools
 Parkersburg WV

Yes I think this would be good because in my class we need help with a student that is a runner and very defiant and we are not allowed to have anyone because we don't have enough IEPs to warrant any help.

N

2017-02-10
 Andy Bird
 Putnam County Schools

1. Revising the single designee choice in the policy so it aligns with state code. WV Code 18-5A-5(b)(2)(D) mandates a committee of no

NA/-

Sections 9, 10, and 12 do not address the faculty senate

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09:34:11 Hurricane WV

less than three members.

2. The documentation for the selection of the applicant should be required on the form for every posted vacancy.

3. Policy 5000 proposed revisions add more exclusive language than current state code and also inserted the county superintendent into the mix.

options. The single designee is only one option a faculty senate may choose. The change in section 9 brings the date into compliance with state code. The change to section 10 corrects a code citation. There is no statutory requirement that the reason for a faculty senate's selection be documented beyond what is already expressed on the Policy 5000 forms. The last sentence in section 10 will be removed because vacancies for the ensuing school years are addressed in section 12.

A/+

2017-03-25 14:11:27 Shari Buffington 1968 Wellsburg WV -

Absolutely NOT!!! First and foremost, because these so called "surplus personnel" are generally working within a self-contained special education environment and/or preschool/Kindergarten environments, the "Pupil-Teacher ratio and class size Rules" should NOT be the sole factor of where these individuals are needed. These learners are more than just numbers! Their individualized needs should always out weigh the "Pupil-Teacher Ratio/class size rules." Because of the specialized needs for all students within those learning environments, consistency of "surplus personnel" is vital to that learning environment and those learners. These "surplus personnel" become very aware of the specific needs of the children they care for as well as those families and perhaps any of their needs. Parents with children who have special needs or are 1st time learners must feel comfortable with placing their child in the hands of these individuals. This "trust bond" between those who teach

NA/-

The change in this section brings the date into compliance with state code. The decision to transfer a teacher will be driven by the staffing needs of the district.

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children (including that "surplus personnel") with special needs and their families are sometimes better developed than a bond shared with other family members. This "trust bond" forms when most self-contained learning environments are consistently "housed" in one school and that child(one with specialized needs) attends that school until the transition years occur (Primary level: K->4; Middle school: 5->8; High School: 9-12/"super senior" through the age of 21). In addition to this issue, these "surplus personnel" generally reflect the personality of the educator. In other words, when their bond remains consistent so does the workings of their classroom. When a bond is non-existent because the "surplus personnel" continually changes, the learning environment becomes stagnant which may result with the learner not being as productive as what may be found within the other environment.

§126-126-10 Reassigning Classroom Teachers Within a School Without Posting

2017-01-19 08:59:14	Ashley Williams VP of Mercer County MCEA/ Mercer County Lindside wv	Consult with Teacher(s) involved and give them options and notice of new post by phone call or email.	NA/o	Reassignments pursuant to this section are only made if the teacher approves.
2017-01-30 14:26:58	Katy Smith teacher South Charleston WV	With agreements from the classroom teachers involved in the reassignments, reassignment should be made within a school without posting PRIOR to a specific academic date of the current school year, such as May 1.	NA/o	The last sentence in section 10 will be removed because vacancies for the ensuing school years are addressed in section 12.
2017-01-30 15:29:59	Crystal Adkins Teacher aft Rivesville Wv	<ol style="list-style-type: none"> 1. Revising the single designee choice in the policy so it aligns with state code. WV Code 18-5A-5(b)(2)(D) mandates a committee of no less than three members. 2. The documentation for the selection of the applicant should be required on the form for every posted vacancy. 3. Policy 5000 proposed revisions add more exclusive language than current state code and also inserted the county superintendent into 	NA/-	Sections 9, 10, and 12 do not address the faculty senate options. The single designee is only one option a faculty senate may choose. The change in section 9 brings the date into compliance with state code. The

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the mix. Below are both the proposed policy and current state law to view the discrepancies.

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change to section 10 corrects a code citation. There is no statutory requirement that the reason for a faculty senate's selection be documented beyond what is already expressed on the Policy 5000 forms. The last sentence in section 10 will be removed because vacancies for the ensuing school years are addressed in section 12.

WV Code 18A-4-7a

(t) Notwithstanding any other provision of this code to the contrary, upon recommendation of the principal and approval by the classroom teacher and county board, a classroom teacher assigned to the school may at any time be assigned to a new or existing classroom teacher position at the school without the position being posted.

2017-01-30
15:42:53

Alicia

Principals are bias.

NA/-

Reassignments pursuant to this section are only made if the teacher approves.

2017-01-31
09:15:26

Debbie Richards
ECCAT
Wood County Schools
Parkersburg WV

School transfers we benefit students because they may know the teacher and will not be as stressful for the students.

N

2017-01-31
11:02:25

Justin Schooley
Associate Superintendent of
HR
Berkeley County Schools

Please remove the sentence "This provision shall not apply to vacancies that will occur in the ensuing year or other future years." in 10.1 as this sentence is not contained in WV Code 18a-4-7a (m). The inclusion of this sentence in Policy 5000 has created confusion

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	Martinsburg WV	among staff as to why some jobs are able to be offered without posting and why other jobs must be posted especially during the spring staffing season for the next school year.		
2017-03-25 14:11:27	Amanda Teacher West Virginia Public School Shinnston West	Agreed	A/+	
2017-03-25 14:11:27	Shari Buffington 1968 Wellsburg WV -	I disagree with this procedure. All vacant teaching positions should be posted for those interested in the position to apply. Obviously, the most qualified individual would be hired as a result of the appropriate use of a hiring rubric. If there are numerous applicants with equal points on the rubric, an "in house" move may be taken into consideration at this point. This consideration is valuable when an applicant has been working within the same school as he/she is familiar with not only the students; but, also staff, personnel, administrators, and the inner workings of the building(rules, policies, etc.).	NA/-	This section is required by statute.
		§126-126-12 Reserving Vacancies for Individuals Subject to Release		
2017-01-17 08:20:59	Josh Sammons Teacher Spring Valley High School Kenova WV	Teaching positions should be hired based upon tenure alone. While undoubtedly there will be substandard teachers hired with this method, it is a much better approach than the current process that exists. The current hiring method creates tension among staff members, and creates a hiring process than is based more on politics than on qualifications. Hiring committees are pressured to vote for candidates who administrators suggest in some situations, which often is not the best choice. We should not think of hiring teachers in the same fashion as a private business hires employees. Business owners goal is to make a profit. Therefore, businesses hire the most qualified people. In public education, profit is not the motive. In contrast, political power is often the motive. With that	NA/-	The purpose of the applicable statutes and this policy is to provide classroom teachers with a voice in hiring at their own schools.

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being said, in many instances less qualified candidates receive positions based upon who they are, and not based upon their qualifications. Please make tenure the only means of hiring teachers.

2017-01-19 08:59:14	Ashley Williams VP of Mercer County MCEA/ Mercer County Lindsay wv	Fair posting and notice of posting is always best practice.	NA/-	This policy does not eliminate the requirements for the posting of positions.
2017-01-30 14:26:58	Katy Smith teacher South Charleston WV	Need a definition of what is "release" Consider teachers who take a temporary position for principalships, curriculum needs, maternity or paternity reasons, illnesses, educational or sabbatical reasons for a year, etc., for release	NA/o	Release means release from employment.
2017-01-30 15:29:59	Crystal Adkins Teacher aft Rivesville Wv	1. Revising the single designee choice in the policy so it aligns with state code. WV Code 18-5A-5(b)(2)(D) mandates a committee of no less than three members. 2. The documentation for the selection of the applicant should be required on the form for every posted vacancy. 3. Policy 5000 proposed revisions add more exclusive language than current state code and also inserted the county superintendent into the mix. Below are both the proposed policy and current state law to view the discrepancies.	NA/-	Sections 9, 10, and 12 do not address the faculty senate options. The single designee is only one option a faculty senate may choose. The change in section 9 brings the date into compliance with state code. The change to section 10 corrects a code citation. There is no statutory requirement that the reason for a faculty senate's selection be documented beyond what is already expressed on the Policy 5000 forms. The last sentence in section 10 will be removed because vacancies for the ensuing school years are addressed in section 12.
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2017-01-30 19:13:51	Carrena Rouse President AFT Boone County Federation of Teachers St. Albans West	We need things updated to meet state code.	A/+	The changes to this policy will bring it in alignment with state code.
2017-03-17 14:46:06	Doug Clemons Associate Superintendent/Human Resource Greenbrier County Lewisburg WV	In considering the 11 factors, the Faculty Senate and principal are to give consideration to the first nine (not necessarily award points). Occasionally, they give their 2 points each to applicants who are not the most qualified. If we are to award the most qualified, I was under the impression that only factors 1-9 apply.	N/o	This clarification will allow these positions to be filled in the same manner as all other vacancies.
2017-03-24 15:16:08	Amanda Teacher West Virginia Public School Shinnston West	Agreed	A/+	