

TITLE 126
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-A
SERIES 5300

Title: West Virginia Board of Education, School Personnel, Relations with Employees, All Personnel

Section 1. General

1.1 Scope - This legislative rule established a harmonious and cooperative relationship between county boards of education and school employees and give every employee "due process" rights.

1.2 Authority - West Virginia Code 18-A-Article 2

1.3 Filing Date - December 27, 1982

1.4 Effective Date - February 27, 1983

1.5 Repeal of Former Rule - None - This was a new policy

Section 2. Applicability

This policy applies to all personnel employed by a county board of education. In order to minimize possible disagreements and misunderstandings, the West Virginia Board of Education adopted the following statement of policy and procedure:

1. County boards of education, subject to the provisions of Chapter 18 and 18A of the Code of West Virginia and the rules and regulations of the State Board of Education, are responsible for the management of the schools within each county.

2. Employees of boards of education share the responsibility for putting into effect the policies and practices approved by boards of education and such employees have certain rights and responsibilities as provided in statute, in contract or in accepted practice.

3. School employees are entitled to meet together, form associations and work in concert in order to improve their circumstances or the circumstances of the schools.

4. Boards of education and school employees can most effectively discharge their total responsibilities to the public and to each other by establishing clear and open lines of communication.

5. Official meetings of boards of education are public meetings and employees are free to attend such meetings without fear of reprisal; indeed, they should be encouraged to attend.

6.a Every employee is entitled to know how well he is performing his job, and should be offered the opportunity of open and honest evaluation of his performance on a regular basis. Any decision concerning promotion, demotion, transfer or termination of employment should be based upon such evaluation, and not upon factors extraneous thereto. Every employee is entitled to the opportunity of improving his job performance, prior to the terminating or transferring of his services, and can only do so with assistance of regular evaluation.

6.b Every employee is entitled to "due process" in matters affecting his employment, transfer, demotion or promotion.

7. All official and enforceable personnel policies must be written and made available to every employee of each county board of education.

Section 3. Eligibility

Every employee is entitled to this process and procedure.

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