

Book	Policy Manual
Section	Ready for Board June 3, 2025
Title	Copy of EMPLOYMENT OF SERVICE PERSONNEL
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Legal	West Virginia State Board of Education policy 5000 West Virginia State Board of Education policy 5202 WV Code 5-11-9a, 15-1F-8. 18A-2-1, 18A-4-8, 18A-4-8b, 18A-4-8e, 18A-4-8g WV Code 18-5-18
Adopted	September 4, 2007
Last Revised	August 21, 2018

4120 - **EMPLOYMENT OF SERVICE PERSONNEL**

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with qualified and competent personnel.

All applications for employment shall be referred to the Manager of Service Personnel via the District online bidding portal.

The employment of service personnel shall be made by the Board only upon nomination and recommendation of the Superintendent.

A Board shall make decisions affecting promotions and the filling of any service personnel positions of employment or jobs occurring throughout the school year that are to be performed by service personnel on the basis of seniority, qualifications and evaluation of past service.

- A. Seniority begins on the date that s/he enters into his/her assigned duties. For the purpose of filling vacancies, seniority is accumulated within particular classification categories of employment as those classification categories are referred to in WV Code 18A-4-8. If requested by the employee, the Board must show valid cause why an employee with the most seniority is not promoted or employed in the position for which s/he applies.
- B. Qualifications means that the applicant holds a classification title in his/her category of employment and must be given first opportunity for promotion and filling vacancies. Other employees then must be considered and shall qualify by meeting the definition of the job title that relates to the promotion or vacancy as defined in WV Code 18A-4-8. Achieving a passing score on the State competency test shall conclusively demonstrate the qualification of an applicant for a classification title. **Background checks must be conducted and shall be the approved vendor by the State Police.** Once an employee passes the competency test of a classification title, the applicant shall be fully qualified to fill vacancies in that classification category of employment (see Competency Testing for Service Personnel, Policy 4125). Qualified applicants shall be considered in the following order:
 1. regularly employed service personnel who hold a classification title within the classification category of the vacancy;
 2. service personnel who have held a classification title within the classification category of the vacancy whose employment has been discontinued due to a reduction-in-force;
 3. regularly employed service personnel who do not hold a classification title within classification category of the vacancy;

4. service personnel who have not held a classification title within the classification category of the vacancy and whose employment has been discontinued due to a reduction-in-force;
5. substitute service personnel who hold a classification title within the classification category of the vacancy;
6. substitute service personnel who do not hold a classification title within the classification category of the vacancy; and
7. new service personnel.

The assignment of an aide to a particular position within a school is based on seniority within the aide classification category if the aide is qualified for the position.

The assignment of a custodian to work shifts in a school or work site is based on seniority within the custodian classification category.

All persons employed for the first time in a position as Supervisor of Transportation or in a multi-classification position that includes this title shall have five (5) years of experience working in the transportation department of a district board. Experience working in the transportation department shall consist of serving as a bus operator, bus aide, assistant mechanic, mechanic, chief mechanic or in a clerical position within the transportation department.

A service employee with the class title of "school bus supervisor" must either currently be certified to operate a bus or have previously been certified to operate a bus.

A spouse of the Superintendent or a Board member may be employed by the Board as a service employee, provided that the Board member whose spouse is being considered for such employment must not participate in any way in the discussion or vote and must leave the Board meeting during such discussion and vote. In the case of the Superintendent's spouse who is considered for such employment, the Superintendent must not participate in any way in the discussion.

The Board will not employ as service personnel the unemancipated children or, except for a spouse, a dependent (IRS criteria) of the Superintendent or any member of the Board. Otherwise, the Board may employ the Superintendent's or a Board member's relatives, including his/her parent or parent-in-law, brother or sister, brother-in-law or sister-in-law, child, son-in-law or daughter-in-law, grandparent, or grandchild. When any such relative of a Board member is employed as a service employee, the related Board member shall not participate in any way in the discussion or vote on the employment, and the Board member shall leave the Board meeting during the discussion and vote. In the case of the Superintendent's relative, the Superintendent shall not participate in the discussion. Thereafter, the Board member may not vote on a personnel matter involving his/her relative unless the matter affects the relative as a member of a profession or occupation, or as a member of a class of at least five (5) persons.

Any person who intentionally misstates facts material to his/her qualifications for employment or the determination of salary shall be subject to dismissal by the Board.

Beginning July 1, 2014, any person previously employed as an aide in a pre-kindergarten or kindergarten program (refer to WV Code 18-5-18) and who is employed in the same capacity on and after that date and any new person employed in that capacity in a pre-kindergarten or kindergarten program on and after that date shall hold the position of either Early Childhood Classroom Assistant Teacher I, Early Childhood Classroom Assistant Teacher II or Early Childhood Classroom Assistant Teacher III. Any person employed as an aide in a pre-kindergarten or kindergarten program that is eligible for full retirement benefits before July 1, 2020, may remain employed as an aide in that position and upon application, shall be granted an Early Childhood Classroom Assistant Teacher II, permanent authorization by the State Superintendent.

Paraprofessional in Federally-Funded Programs

Effective with the 2017-18 school year, all paraprofessionals in Federally-funded programs must meet applicable West Virginia State certification and licensure requirements.

The Superintendent shall prepare procedures for the recruitment and selection of all service personnel.

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