

**Series 3000 – Personnel Section 3100 –****Professional Personnel****Policy 3212 – Employment of Substitute Teachers in Areas of Critical Need and Shortage**

- 3212.1 The Harrison County Board of Education recognizes that in certain curricular areas a shortage of qualified teachers exists. The Board has been unable to employ properly certified professional educators to fill certain vacant positions. These vacant positions represent areas of critical need and shortage.
- 3212.2 Retired teachers may be employed as substitute teachers during the school year on an expanded basis in areas of critical need and shortage as defined in this policy.
- 3212.3 An area of critical need and shortage for substitute teachers means an area of certification and training in which the number of available substitute teachers in the county who hold certification and training in that area and who are not retired is insufficient to meet the projected need for substitute teachers. For the 2017-2018 school year only, the areas of critical need and shortage include:
- Special Education (LD, BD, ID, gifted, Autism)
  - Title I Teacher
  - ROTC
  - Spanish
  - French
  - Italian
  - Math
  - Family Consumer Science
  - Speech Pathology
  - Business Education
  - Science
  - Early Education
  - Art
  - Music
  - Elementary Education K-6
  - English
- 3212.4 A retired teacher may be employed as a substitute teacher in an area of critical need and shortage on an expanded basis only when no other teacher who holds certification and training in the area and who is not retired is available and accepts the substitute assignment.
- 3212.5 Prior to employment of a substitute teacher (retired) who is beyond the post-retirement employment limitations established by the public employees retirement board, the superintendent will submit to the West Virginia Board of Education and the Consolidated Public Retirement Board, on the proper form, an affidavit signed by the superintendent, stating the name of the county school system, the fact that this school system has adopted a policy to employ retired teachers as substitutes to address areas of critical need and shortage, the name(s) of the retired teachers to be employed pursuant to this policy, the critical need and shortage area position filled by each person, the date that person gave notice to the county board of the person's intent to retire, and the effective date of the person's retirement.

- 3212.6 Any person who retires and begins work as a critical needs substitute teacher within the same employment term shall lose those retirement benefits attributed to the annuity reserve, effective from the first day of employment as a retiree substitute in that employment term and ending with the month following the date the retiree ceases to perform service as a substitute.
- 3212.7 A teacher is eligible to be employed as a critical needs substitute to fill a vacant position only if the retired teacher's retirement became effective at least 20 days before the beginning of the employment term during which he/she is employed as a substitute.
- 3212.8 When a retired teacher is employed as a critical needs substitute, the county board shall continue to post the vacant position, electronically and through easily accessible means to prospective employees, until it is filled with a regularly employed teacher who is fully certified or permitted for the position.
- 3212.9 Retired teachers employed to perform expanded substitute service pursuant to this policy are considered to be day-to-day, temporary, part-time employees. These individuals are not eligible for additional pension or other benefits paid to regularly employed employees and shall not accrue seniority.
- 3212.10 A substitute teacher who is also a retired teacher and is receiving benefits under the provisions of §18A-7A-1 et. seq., or who is eligible for retirement benefits during the fiscal year in which that person retired, may accept employment with the Board as a substitute teacher but should first contact the Consolidated Public Retirement Board to determine how accepting substitute work with the Board may affect his/her retirement benefits.
- 3212.11 The Superintendent shall cause a copy of this policy to be transmitted to the West Virginia Board of Education for its approval when employment of retirees on an expanded basis is necessitated
- 3212.12 It shall be the responsibility of the building administrator to administer this policy.
- 3212.13 This policy will expire at the close of the 2017-2018 school year.

Legal Reference: WV Code §18A-2-3  
Approved by the Harrison County Board of Education

Effective Date: October 18, 2012  
Revised: March 4, 2013, October 1, 2013, October 7, 2014; April 7, 2015; September 6, 2016; September 5, 2017