



## **2016-2017 DEADLINES/IMPORTANT DATES FOR COUNTY BOARDS OF EDUCATION**

### **DISCLAIMER**

The material in the following 2016-2017 deadlines calendar is a general overview of the deadlines found in the West Virginia Code and Policies of the State Board of Education for County Boards of Education for the school year 2016-2017 only, and may not be comprehensive as laws are frequently amended. This material is not meant to constitute legal advice on any particular matter. For legal advice, consult a lawyer of your choice.

**July 1, 2016:** First day of the 2016-2017 school year. *W. Va. Code § 18-1-2.*

**On July 1, 2016:** Each county board shall deposit in the annuity account of each member of the defined contribution system created pursuant to § 18-7B-9 an amount equal to seven and one-half percent of all compensation paid to members of the defined contribution system in excess of that authorized for minimum salaries in §§ 18A-4-2 and 18A-4-8a, to the extent that the excess exceeds the amount distributed for salary equity to the county. *W. Va. Code § 18-7B-17.*

**On July 1, 2016:** The county board must compile, update, and make available by electronic or other means to all employees a list of all professional personnel employed by the county, their areas of certification and their seniority. *W. Va. Code § 18A-4-7a(t).*

**On or after July 1, 2016, but before September 28, 2016:** The county board shall prepare and cause to be published the financial statement for the fiscal year 2015-2016 required by § 18-9-3a. A copy of the published statement shall be filed with the state tax commissioner and the state superintendent “**as soon as practicable after the close of the fiscal year.**” *W. Va. Code § 18-9-3a.*

**July 4, 2016:** Independence Day Holiday. Schools shall be closed. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee’s pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**Before July 31, 2016:** The county board will send to the State Department of Education, Office of School Transportation and Facilities a report on the number of indoor air quality complaints

and the total estimated cost of correction for all indoor air quality complaints registered during the previous fiscal year. *West Virginia State Board of Education Policy 6202, Section 2.5.*

**Before August 1, 2016:** If, before August 1, 2016, the reason for a particular employee reduction in force or transfer no longer exists as determined by the county board, the county board must, with certain exceptions, rescind the action and shall notify the released employee in writing of his or her right to be restored to his or her position of employment. This deadline applies to when the reason no longer existed, not to the date on which the board actually votes to rescind which may occur after August 1. *W. Va. Code §§ 18A-4-7a(k)(5); 18A-4-8b(k).*

**On or before August 1, 2016:** The county board shall review its policies to promote school board effectiveness and may modify these policies as necessary. *W. Va. Code § 18-5-14(b).*

**On or before August 1, 2016:** The county board shall employ the equivalent of a full-time county director of school attendance if such county has a net enrollment of more than four thousand pupils, at least a half-time director of school attendance if such county has a net enrollment equal to or less than four thousand pupils and such assistant attendance directors as deemed necessary. *W. Va. Code § 18-8-3.*

**On or before August 31, 2016:** If funds in fiscal year 2015-2016, including transfers, are insufficient to pay the full cost of substitutes for meeting the provisions of § 18A-4-10, the remainder shall be paid on or before August 31, 2016, from the 2016-2017 fiscal year budget. *W. Va. Code § 18A-4-10(b)(4).*

**On or Before September 1, 2016:** Pursuant to Jamie's Law, all middle and high school administrators must disseminate and provide opportunities for all middle and high school students to discuss suicide prevention awareness information by September 1 of each school year. The information to disseminate may be obtained from the Bureau for Behavioral Health and Health Facilities or from a suicide prevention training program approved by the State Board of Education. *W. Va. Code § 18-2-40.*

**On or before September 1, 2016:** The county board must post at each school or working station current seniority lists for each service personnel classification. *W. Va. Code § 18A-4-8g(f).*

**On or before September 1, 2016:** A county board shall report to the state superintendent on the meetings conducted pursuant to § 18-5-14(a)(1)(A) with each local school improvement council during the 2014-2015 school year. *W. Va. Code § 18-5-14(a)(1)(D).*

**On or after September 1, 2016, and before October 1, 2016:** County boards shall distribute to each faculty senate the faculty senate funds received from legislative appropriations. *W. Va. Code § 18-9A-9(4); Accounting Procedures Manual for the Public Schools in the State of West Virginia, Section 1-37.*

**September 5, 2016:** Labor Day Holiday. Schools shall not be kept open. When any such holiday falls within the employment term, it shall be considered as a day of the employment term and full-time school personnel shall receive their pay for the same. *W. Va. Code § 18A-5-2.*

**Before September 15, 2016:** The county board and the county superintendent shall establish written goals or objectives for the county superintendent to accomplish within a given period of time. *West Virginia State Board of Education Policy 5309, Section 6.1.1.*

**On or before September 30, 2016:** When actual student enrollment in a grade level or program, unforeseen before May 1, 2016, allows the assignment of fewer professional or service employees to or within a school under certain pupil-teacher ratio, class size or caseload standards, the board may reassign the least senior certified or classified surplus personnel to another grade level or program in the same school, or to another school, if needed there to comply with any such standard. *W. Va. Code § 18A-2-7(e).* (This is arguably a conservative version of the deadline. See the statute and Section 9 of State Board Policy 5000 for notice and hearing requirements that precede the vote and other details.)

**On or before October 14, 2016:** The county board of education, in collaboration with WVDHHR and the Head Start State Collaboration Office, is required to submit WV Universal Pre-K program data to the WVDE Office of Early Learning (i) program data verification, including classroom information and (ii) a comprehensive pre-k fiscal report. *West Virginia State Board of Education Policy 2525, Section 18.2 and 18.2.b.*

**November 11, 2016:** Veterans' Day Holiday. Schools shall be closed. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**November 24, 2016:** Thanksgiving Holiday. Schools shall be closed. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**December 26, 2016:** Christmas Holiday. Schools shall be closed. When such holiday falls on Sunday, the schools shall be closed on the following Monday. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**On or before December 30, 2016:** Any county board which plans to close or consolidate schools in calendar year 2017 must have completed all the requirements of Policy 6204.<sup>1</sup> *West Virginia State Board of Education Policy 6204, Section 2.4.*

**On or before December 30, 2016:** County and school report cards shall be presented to a meeting of the county board. All data in the county and school report cards shall be public information after the data has been presented to the county board and shall be made available to a newspaper of general circulation serving the county. *W. Va. Code § 18-2E-4(d); West Virginia State Board of Education Policy 7300, Section 3.4.* (Note: While the W. Va. Code states “prior to January 1,” the State Board of Education Policy states “prior to December 31.”)

**On or before December 30, 2016:** Each county board shall have completed its self-evaluation assessing its own performance using an instrument approved by the State Board of Education. *W. Va. Code § 18-5-1c.*

**On or before December 30, 2016:** Service employees of each county board must have been offered at least twelve hours of staff development. *West Virginia State Board of Education Policy 5500.02, Section 3.1.*

**On or before December 30, 2016:** Parents seeking revocation of a student transfer from one county board to another must make proper application to both the sending and receiving county boards to revoke the transfer; otherwise any intercounty student transfer approved by the State Superintendent shall remain in effect for the 2017-2018 school year. *West Virginia State Board of Education Policy 7212, Section 3.7.*

**January 2, 2017:** New Year’s Day Holiday. Schools shall be closed. When such holiday falls on Sunday, the schools shall be closed on the following Monday. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**After January 2, 2017, but before June 1, 2017:** A county board may appoint a county superintendent for a term to begin the ensuing July 1. *W. Va. Code § 18-4-1(a).*

**January 16, 2017:** Martin Luther King’s Birthday Holiday. Schools shall be closed. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same

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<sup>1</sup> Note that the various timelines/deadlines associated with school closings or consolidations under State Board of Education Policy 6204 are not included herein.

amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**On or before January 17, 2017:** The county board must post at each school or working station current seniority lists for each service employee classification. *W. Va. Code § 18A-4-8g(f).*

**On February 1, 2017:** County board members and county superintendents of schools must file a financial disclosure statement containing the information required by § 6B-2-7. *W. Va. Code § 6B-2-6.*

**Before March 1, 2017:** If a county superintendent's contract will expire June 30, 2017, the county board will assess the superintendent's performance pursuant to § 18-4-6. *W. Va. Code § 18-4-6; West Virginia State Board of Education Policy 5309, Sections 6.1.3; 6.1.4 and 7.1.1.*

**On or before March 1, 2017:** Any classroom teacher may give written notice of year-end retirement in order to qualify for the \$500 early notification of retirement payment. *W. Va. Code § 18A-2-2(g).*

**On or before March 1, 2017:** All professional employees who are subject to release in a reduction in force must be considered applicants for any vacancy in an established, existing or newly created position that, on or before March 1, is known to exist for the 2017-2018 school year, and for which they are qualified. *W. Va. Code § 18A-4-7a(k)(2).*

**After March 7, 2017, and before March 28, 2017:** The county board shall meet to estimate the levy, as provided in § 11-8-12. The secretary of the board shall immediately forward a certified copy of the statement to the Auditor and publish the statement forthwith. *W. Va. Code §§ 11-8-9 and 11-8-12.* If a levy is on the primary ballot, the county board may delay the meeting, so long as it is held before June 1. Recognizing that occasionally a school board cannot or does not meet these deadlines, the State Auditor is directed by *W. Va. Code § 11-8-9(c)* to propose rules that will establish a process under which a school board can apply for permission to extend the meeting deadline. *W. Va. Code § 11-8-9(a).*

**On or before March 27, 2017:** Any county board which satisfies the requirements for seeking a waiver from full implementation of WV Pre-k for the 2017-2018 school year, must apply with the supporting data to meet the criteria for which they are eligible on or before the next business day following March 25, 2017, as the deadline falls on a Saturday. *W. Va. Code § 18-5-44 (l).*

**On or before April 3, 2017:** Each county board shall compile a list of facilities under the jurisdiction of the county board which would have space available for child day care for the benefit of school employees and others during the 2017-2018 school year. *W. Va. Code § 18-5-26.*

**On or before April 3, 2017:** The State Auditor shall require all levying bodies to file a report of their meetings as required in this article with the State Auditor on or before the next business day following April 1, 2017, as the deadline falls on a Saturday. *W. Va. Code § 11-8-9(c).*

**On or before April 3, 2017:** A county board shall officially act upon any school closings and notify all teachers and service personnel involved. *W. Va. Code § 18-5-13 (c).*

**On or before April 3, 2017:** The county superintendent of schools must provide written notice to professional and service employees who are being considered for transfer. *W. Va. Code § 18A-2-7(a)*. (See the statute for time within which any statements of reasons must then be given and any hearing requests must then be made.)

**On April 18, 2017:** The county board shall meet as provided in § 11-8-12a and hear objections to the estimated levy and lay the levy to be submitted to the tax commissioner for approval. *W. Va. Code § 11-8-12; W. Va. Code § 11-8-12a*.

**On or before April 21, 2017:** The secretary of the county board shall forward to the county superintendent and to the tax commissioner certified copies of the order laying the levies and the rate of levy upon each class of property. *W. Va. Code § 11-8-13*.

**On or before April 26, 2017:** The county superintendent shall report the rate of levy for each of the various classes and the total value of real, personal, and public utility property in each class in every district to the clerk of the county court, the assessor, the state superintendent and the auditor. *W. Va. Code § 11-8-13*.

**Before May 1, 2017:** A county board that so chooses may elect to have its fiscal year 2016-2017 audit performed by a certified public accountant approved by the Chief Inspector to perform the examinations. *W. Va. Code § 6-9-7(c)*.

**On or before May 1, 2017:** A service employee's continuing contract may be terminated by a majority vote of the full membership of the county board, the termination to take effect at the close of the school year (as in a reduction-in-force). *W. Va. Code § 18A-2-6*. (See the statute for notice and hearing requirements which precede the vote.)

**On or before May 1, 2017:** A teacher or service employee may initiate termination of a continuing contract by written resignation, to take effect at the close of the school year. *W. Va. Code §§ 18A-2-2(c)(1)(B) or 18A-2-6*.

**On or before May 1, 2017:** A teacher's continuing contract may be terminated by a majority vote of the full membership of the county board, the termination to take effect at the close of the school year (as in a reduction-in-force). *W. Va. Code § 18A-2-2(c)(1)(A)*. (See the statute for notice and hearing requirements which precede the vote.)

**On or before May 1, 2017:** The county board must conduct a hearing for any employee who has requested one regarding a proposed transfer, and the county superintendent must furnish the board with a written list of teachers and other employees to be considered for transfer for the ensuing school year. *W. Va. Code § 18A-2-7(a),(b)*. (See statute for requirement of subsequent notice to such employees.)

**On or before May 1, 2017:** The county superintendent must provide the county board with a written list of all probationary teachers and probationary service personnel the county superintendent recommends to be rehired for the next school year. The county board must act upon the county superintendent's recommendations at the same meeting. *W. Va. Code § 18A-2-8a*. (See statute for requirement of subsequent notice to probationary employees not listed and for provisions regarding subsequent hearings.)

**On or before May 1, 2017:** A county board shall make application for foundation allowance funds for personnel available for the 2017-2018 school year if they are to be used for personnel. *W. Va. Code § 18-9A-10.*

**On or before May 1, 2017:** A county board shall send to the State Board of Education a report that includes: 1) the available teacher positions in the county; 2) any shortages in subject matter areas in the county; and 3) the name of each teacher reduced in force, provided the teacher has permitted the county board to submit his/her name. *W. Va. Code § 18A-4-20; West Virginia State Board of Education Policy 5202, Sections 7.1.d, 23.2.c.*

**On or before May 1, 2017:** The county board shall, upon recommendation of the county superintendent with the aid of a committee of teachers, select from the state multiple list, as most recently approved by the State Board of Education, one or more resources to deliver instruction for a period as provided in § 18-2A-1. *W. Va. Code § 18-2A-5.*

**On or before May 1, 2017:** The county board shall upon recommendation of the county superintendent appoint a treasurer for the board. *W. Va. Code § 18-9-6.*

**May 29, 2017:** Memorial Day Holiday. Schools shall be closed. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**Before June 1, 2017, but after January 2, 2017:** The county board may appoint a county superintendent for a term to begin the ensuing July 1. *W. Va. Code § 18-4-1(a).*

**On or before June 1, 2017:** The county board shall fix the annual salary for the period of appointment of any superintendent appointed for a term to begin July 1, 2017. *W. Va. Code §18-4-4.*

**On or before June 1, 2017:** Teachers shall be selected to teach honors and advanced placement courses based upon the teacher's qualifications and academic interests and the needs of the students. *W. Va. Code §18-2E-3a.*

**June 20, 2017:** West Virginia Day Holiday. Schools shall be closed. The time lost by the school closings may not be counted as days of employment and may not be counted as meeting a part of the requirements of the minimum term of one hundred eighty days of instruction. A school employee's pay per pay period may not change as a result of a school closing not being counted as a day of employment, and the employee shall be paid the same amount during any pay period in which a school closing occurs that the employee would have been paid during the pay period if a school closing had not occurred. *W. Va. Code § 18A-5-2.*

**Before June 30, 2017:** If a county superintendent's contract does not expire June 30, 2017, the county board shall assess the county superintendent's performance pursuant to §§ 18-4-6 and 18-

4-10. *W. Va. Code §§ 18-4-6; 18-4-10, 18A-4-11; West Virginia State Board of Education Policy 5309, Sections 6.1.3; 6.1.4 and 7.1.1.*

**Before June 30, 2017:** Any county board which received excess funds for increased enrollment shall refund the excess to the State Department of Education. *W. Va. Code § 18-9A-15 (a).*

**On or before June 30, 2017:** A new or existing classroom teacher position for the 2017-2018 school year cannot be filled under *W. Va. Code § 18A-4-7a(u)* (i.e., without posting, and by agreement of the board, the teacher and the school's principal). *Section 10 of State Board Policy 5000.*

**June 30, 2017:** Last day of the 2016-2017 school year. *W. Va. Code § 18-1-2.*

### **DATES FIXED BY THE SCHOOL CALENDAR ADOPTED BY THE COUNTY BOARD:**

**On a date selected by the county board:** The 2016-2017 instructional term commences. *W. Va. Code §18-5-45.*

**On or before the date selected by the county board for the end of the 2016-2017 instructional term:** A county board must schedule all non-instructional days. *W. Va. Code § 18-5-45.*

Within the instructional term, six days to be designated by the county board to be used by the employees outside the school environment, with at least four outside the school environment days scheduled to occur after the one hundred and thirtieth instructional day of the school calendar.

**On a date selected by the county board:** The 2016-2017 instructional term shall end. *W. Va. Code § 18-5-45.*

### **DEADLINES FIXED BY REFERENCE TO OTHER EVENTS**

**Early Childhood Education.** Every county board shall submit its plan for re-approval by the Secretary of the Department of Health and Human Resources and by the West Virginia State Board of Education at least every two years after the initial approval of the plan and until full implementation of the early childhood education program in the county. As part of the submission, the county board shall provide a detailed statement of the progress made in implementing its plan. The standards and procedures provided for the original approval of the plan apply to any re-approval. *W. Va. Code § 18-5-44(j).*

**Early Childhood Education.** The county board of education, in collaboration with WVDHHR and the Head Start State Collaboration Office, is required to submit to the WVDE Office of Early Learning verification of the annual collaborative contracts and budgets signed and filed at

the local county board of education, noting collaborative universal pre-k classrooms for the upcoming school year to continue to document maximization of resources through the collaborative model, submitted **prior to the first day of children's attendance**. *West Virginia State Board of Education Policy 2525, Section 18.2.c.*

**Submission and Approval of Budget.** A county board shall, **on or before the day fixed by the budget calendar**, submit its proposed budget to the board of finance together with such supporting schedules as the board may require. *W. Va. Code §18-9B-6.*

**Delaying Submission of the Budget.** Notwithstanding any other provisions of the code to the contrary, the county board shall not be required to submit its budget for approval by the State Board of Education as provided by § 11-8-12a and §§ 18-9B-6 and 18-9B-7, **until the tenth day next following the State Board of Education's transmittal of final state aid computations following the adoption of the state budget, but no later than the thirtieth day of May:** Provided, That, in any year in which the state budget is not adopted on or before the first day of May, the State Board of Education may require the county board to adopt a preliminary budget and to submit it to the State Board of Education no later than the thirtieth day of May, and when final computations of state aid are transmitted to the county board, the county board shall make such adjustments as are necessary prior to final adoption of the budget. *W. Va. Code §18-9B-6a.*

**Public Hearing on Preliminary Budget:** A public hearing shall be held concerning the preliminary operating budget for the next fiscal year not fewer than ten days after the budget has been made available to the public for inspection and within a reasonable time prior to the submission of the budget to the West Virginia State Board of Education for approval. Reasonable time shall be granted at the hearing to any person who wishes to speak regarding any part of the budget. Notice of the hearing shall be published as a Class I legal advertisement in compliance with the provisions of §§ 59-3-1, *et seq.* *W. Va. Code §18-5-4(c).*

**Electronic County and School Strategic Improvement Plan Process.** Each county board shall develop a five-year electronic county strategic improvement plan and each school shall develop a five-year electronic school strategic improvement plan. The plan shall be revised **annually** as new data and information indicate and in each area in which the school or school system is below standard on the annual performance measures and submitted to the West Virginia State Board of Education for approval, upon approval by the county board. *West Virginia State Board of Education Policy 2320 and W. Va. Code § 18-2E-5(b).*

**Approval for Alternative Certification Program Proposals.** A partnership shall make written notification to the WVBE of its intent to become an alternative certification program provider at least sixty days prior to the ACEPPRB's scheduled meeting. A second written notification from the partnership shall be submitted at least thirty days prior to the ACEPPRB's scheduled meeting. *West Virginia State Board of Education Policy 5901, Section 9.1 and 9.1.a.*

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