

2021-2022 DEADLINES/IMPORTANT DATES FOR COUNTY BOARDS OF EDUCATION

DISCLAIMER

The material in the following 2021-2022 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 2021-2022 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, 2021: First day of the 2021-2022 school year. *W. Va. Code § 18-1-2.*

On or before July 1, 2021: Each county board shall complete its annual revision of the County Strategic Plan for the upcoming academic year. *West Virginia State Board of Education Policy 2322, Section 8.1.b.*

On July 1, 2021: Each county board shall deposit in the annuity account of each member of the defined contribution system created pursuant to *W. Va. Code § 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 *W. Va. Code §§ 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 or after July 1, 2021, but before September 28, 2021: The county board shall prepare and cause to be published the financial statement for the fiscal year 2020-2021 required by *W. Va. Code § 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*. (This deadline remains as it was prior to the regular session of the Legislature, 2021, and does not include the changes made by the amendments adopted thereat. Subsection (e) of *W. Va. Code § 18-9-3a* specifically states that the changes “shall be effective for financial statements for the fiscal year commencing on July 1, 2023.”)

Beginning July 1, 2021: Each county board of education must provide to children in grades K-12 body age-appropriate safety information regarding child sexual abuse at least once during the academic school year, with a preference of four times per academic year. *W. Va. Code § 18-2-41.*

Beginning July 1, 2021: Each county board of education must provide active shooter training for all school personnel and students. *W. Va. Code § 18-9F-10.*

Beginning July 1, 2021: Each county board of education must provide first aid training for all school personnel and students. *W. Va. Code § 18-9F-10.*

Beginning July 1, 2021: Comprehensive drug awareness and prevention programs for students in grades K through 12 may include faith-based electives, along with nonfaithbased-electives, for

drug awareness in classrooms. The state board shall promulgate a rule on how the faith-based electives can be offered in a way that is consistent with constitutional requirements. *W. Va. Code § 18-2-7b(e)*.

July 5, 2021: Independence Day Holiday. Schools shall be closed. When the designated holiday falls on a Sunday, the schools shall be closed on the following Monday. 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 §§ 18-5-45(e)(1) and 18A-5-2*.

Before July 31, 2021: 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, 2021: If, before August 1, 2021, 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, 2021: 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(a)*.

On or before August 1, 2021: The county board must review its policies that promote school board effectiveness and may modify these policies as necessary. (See statute for required policy objectives). *W. Va. Code § 18-5-14(b)*.

On or before September 1, 2021: Each county board of education must implement a school safety program. The plan is in addition to the Crisis Response Plan already required by statute. *W. Va. Code § 18-9F-10*.

On or before September 1, 2021: Each county board of education must provide updated floor plans for each facility to first responders and local law enforcement agencies. *W. Va. Code § 18-9F-10*.

On or before September 1, 2021: 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. 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, 2021: The board must post at each county school or working station the current seniority list or lists of each service personnel classification. Each list shall contain the name of each regularly employed school service person employed in each classification and the

date that each employee began performing his or her assigned duties in each classification. *W. Va. Code § 18A-4-8g(f)*.

On or after September 1, 2021, and before October 1, 2021: 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 6, 2021: Labor Day Holiday. Schools shall be closed. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

Before September 15, 2021: The county board and the county superintendent shall establish written, measurable, and timely goals or objectives for the county superintendent to accomplish. *West Virginia State Board of Education Policy 5309, Section 5.1.a.*

On or before September 30, 2021: When actual student enrollment in a grade level or program, unforeseen before May 1, 2021, 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 15, 2021: The county board of education, in collaboration with county collaborative partners, 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 18.4.*

November 11, 2021: Veterans Day Holiday. Schools shall be closed. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

November 25, 2021: Thanksgiving Day Holiday. Schools shall be closed. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

December 24, 2021: Christmas Day Holiday. Schools shall be closed. When the designated holiday falls on a Saturday, the schools shall be closed on the preceding Friday. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

On or before December 30, 2021: 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. The school and school district report cards shall be made easily accessible on the county’s website and shall be submitted to the state board of education. *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 31, 2021: 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 31, 2021: Any county board which plans to close or consolidate schools in calendar year 2022 must have completed all the requirements of Policy 6204.¹ *West Virginia State Board of Education Policy 6204, Section 2.4.*

On or before December 31, 2021: Each county board must submit its proposed evaluation process to the State Superintendent, before evaluating the annual performance of the county superintendent for the 2022-2023 school year. *West Virginia State Board of Education Policy 5309, Sections 4.1. and 4.1.a.*

December 31, 2021: New Year’s Day Holiday. Schools shall be closed. When the designated holiday falls on a Saturday, the schools shall be closed on the preceding Friday. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

After January 1, 2022, but before June 1, 2022: A county board may appoint a county superintendent for a term to begin July 1, 2022. *W. Va. Code § 18-4-1(a).*

Before January 1, 2022: The county board must schedule at least twelve of the eighteen required hours of staff development for service personnel. *West Virginia State Board of Education Policy 5314, Section 8.1.c.1.*

January 17, 2022: Martin Luther King’s Birthday Holiday. Schools shall be closed. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

¹ Note that the various timelines/deadlines associated with school closings or consolidations under State Board of Education Policy 6204 are not included herein. Further, the actual deadline in this policy states “on or before December 31st.”

On or before January 18, 2022: The county board must post at each county school or working station the current seniority list or lists of each service personnel classification. Each list shall contain the name of each regularly employed school service person employed in each classification and the date that each employee began performing his or her assigned duties in each classification. *W. Va. Code § 18A-4-8g(f)*.

On February 1, 2022: County board members and county superintendents of schools must file with the Ethics Commission a financial disclosure statement containing the information required by *W. Va. Code § 6B-2-7*. *W. Va. Code § 6B-2-6*.

Before March 1, 2022: If a county superintendent's contract will expire June 30, 2022, the county board must assess the superintendent's performance pursuant to *W. Va. Code § 18-4-6*. *W. Va. Code § 18-4-6*; *West Virginia State Board of Education Policy 5309, Sections 5.1.c, 5.1.d, 6.1.a*.

On or before March 1, 2022: A classroom teacher may give written notice of retirement, to take effect at the end of the school year, so as to be paid the \$500 state bonus for early notification of retirement. *W. Va. Code § 18A-2-2(g)(1)*. This is also the deadline for any professional employee who is not a classroom teacher and for any service employee to give early written notice of retirement, to take effect at the end of the school year, in order to receive any county bonus for early notification of retirement. *W. Va. Code § 18A-2-5a*.

After March 7, 2022, and before March 28, 2022: 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*.

On or before March 25, 2022: Any county board which satisfies the requirements for seeking a waiver from full implementation of WV Pre-k for the following school year, must apply with the supporting data to meet the criteria for which they are eligible. *W. Va. Code § 18-5-44 (n)*.

On or before April 1, 2022: 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 2022-2023 school year. *W. Va. Code § 18-5-26*.

On or before April 1, 2022: The State Auditor shall require all levying bodies to file a report of their meetings with the State Auditor. *W. Va. Code § 11-8-9(c)*.

On or before April 1, 2022: The superintendent must provide written notice to professional and service employees who are being considered for transfer. Any teacher or employee who desires to protest the proposed transfer may request in writing a statement of the reasons for the proposed transfer. The statement of reasons shall be delivered to the teacher or employee within **ten days** of the receipt of the request. Within **ten days** of the receipt of the statement of the reasons, the

teacher or employee may make written demand upon the superintendent for a hearing on the proposed transfer before the county board. *W. Va. Code § 18A-2-7(a)*.

On or before April 4, 2022: A county board shall officially act upon any school closings for the 2021-2022 school year and notify all teachers and service personnel involved. *W. Va. Code § 18-5-13(c)*.

On April 19, 2022: The county board shall meet as provided in *W. Va. Code § 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*.

On or before April 22, 2022: 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 25, 2022: 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*. (Deadline may be earlier depending upon the county board's submission of the order provided in the deadline above).

On or before May 2, 2022: A county board that so chooses may elect to have its fiscal year 2021-2022 audit performed by a certified public accountant approved by the chief inspector to perform the examinations. A copy of the order of the county board making this election shall be filed with the chief inspector and the state board of school finance. *W. Va. Code § 6-9-7(d)*.

On or before May 2, 2022: 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 2, 2022: A professional or service employee's continuing contract may be terminated by a majority vote of the full membership of the board, 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) (professionals); 18A-2-6 (service employees)*. (See the statute for notice and hearing requirements that precede the vote.)

On or before May 2, 2022: The board must conduct a hearing for any employee who has requested one regarding his or her proposed transfer. *W. Va. Code § 18A-2-7(a)*. (See the statute for requirement of subsequent notice to such employees.)

On or before May 2, 2022: The superintendent, at a meeting of the board, shall furnish in writing a list of teachers and other employees to be considered for transfer and a subsequent assignment for the next ensuing school year. An employee who was not provided notice and an opportunity for a hearing pursuant to *W. Va. Code § 18A-2-7(a)* may not be included on the list. *W. Va. Code § 18A-2-7(b)*

On or before May 2, 2022: The superintendent, at a board meeting, must provide the board with a written list of all probationary teachers and service personnel that the superintendent recommends to be rehired for the ensuing school year. The board must act upon the

superintendent's recommendations at the same meeting. *W. Va. Code § 18A-2-8a.* (See the statute for requirement of subsequent notice to probationary employees not listed, and for provisions regarding subsequent hearings.)

On or before May 2, 2022: A county board shall apply to the state superintendent if it wishes to employ personnel with funds from the foundation allowance to improve instructional programs. *W. Va. Code § 18-9A-10.*

On or before May 2, 2022: 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 7.3.3.*

On or before May 2, 2022: 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 *W. Va. Code § 18-2A-1. W. Va. Code § 18-2A-5.*

May 10, 2022: Primary Election Day. Schools shall be closed. When any such election day 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 §§ 18-5-45(e)(2); 18A-5-2.*

On or before May 2, 2022: The county board shall, upon recommendation of the county superintendent, appoint a treasurer for the board. *W. Va. Code § 18-9-6.*

May 30, 2022: Memorial Day Holiday. Schools shall be closed. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

Before June 1, 2022, but after January 1, 2022: The county board may appoint a county superintendent for a term to begin July 1, 2022. *W. Va. Code § 18-4-1(a).*

On or before June 1, 2022: The county board shall fix the annual salary for the period of appointment of any superintendent appointed for a term to begin July 1, 2022. *W. Va. Code § 18-4-4.*

On or before June 1, 2022: 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, 2022: West Virginia Day Holiday. Schools shall be closed. 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 §§ 18-5-45(e)(1) and 18A-5-2.*

Before June 30, 2022: If a county superintendent's contract does not expire June 30, 2022, the county board shall assess the county superintendent's performance pursuant to §§ 18-4-6. *W. Va. Code § 18-4-6; West Virginia State Board of Education Policy 5309, Sections 5.1.c, 5.1.d, 6.1.a.*

Before June 30, 2022: 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)*.

Before June 30, 2022: The county board must give written notice of insurance coverage to each of its insureds, including teachers, supervisors, administrators, service personnel, the county superintendent, and board members regarding the minimum liability insurance coverage that the Board of Risk and Insurance Management provides and oversees. *W. Va. Code § 29-12-5a(f)*.

Before June 30, 2022: Each county board of education and multicounty vocational center must (1) assess the safety and security of each of its school facilities, (2) when necessary, upgrade safety and security measures at each facility to ensure, to the best of the county board's ability, the safety of students, and (3) report to the State Department of Education the safety and security measures it has put in place, including upgrades.

June 30, 2022: Last day of the 2021-2022 school year. *W. Va. Code § 18-1-2*.

Unknown due date:

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

On a date selected by the county board: The 2021-2022 instructional term commences. *W. Va. Code § 18-5-45*.

On a date selected by the county board: The 2021-2022 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(l)*.

Early Childhood Education. The county board of education, in collaboration with county collaborative partners, is required to submit verification to the WVDE Office of Early Learning 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 18.4.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 *W. Va. Code §§ 11-8-12a, §§ 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 monitored and adjusted throughout the academic year and 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 2322 and W. Va. Code § 18-2E-5(b).*

Approval for Alternative Certification Program Proposals. A partnership shall make written notification to the WVDE of its intent to become an alternative certification program provider at least sixty days prior to the ACEPPRB's scheduled meeting. The official submission of written proposals for an alternative certification program from the partnership shall be received by the WVDE at least 45 days prior to the ACEPPRB's scheduled meeting. *West Virginia State Board of Education Policy 5901, Section 10.5.a.1.*

Agenda for Local School Improvement Counsel. **At least 30 days** before a meeting with the LSIC of a school deemed to be low performing, the county board must give the LSIC an agenda for the meeting. *W. Va. Code § 18-5-14(a)(1)(B).*

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