

Substitutes in Areas of Critical Need and Shortage

The purpose of this policy is to provide for the employment of retired teachers as substitute teachers in areas of critical need and shortage as determined annually by the Tyler County Board of Education.

The Tyler County Board of Education has determined that there presently exists within Tyler County, West Virginia, a shortage of certified substitutes constituting a critical need for substitute teachers in the following areas:

English	Reading	Language Arts
Elementary Education	Social Studies	Art
Driver's Education	Physical Education	Health
Library Sciences	Business Education	Music
Foreign Languages	Vocational Education	Chemistry
General Sciences	Special Education (All Areas)	Physics
Mathematics	Home Economics	Biology
Industrial Arts	Technical Education	Speech
Alternative Education	Preschool Special Needs	Preschool

To address these identified areas of critical need and provide certified substitute teachers as necessary, the Tyler County Board of Education recognizes the need to permit retired teachers to substitute for an unlimited number of days during the school year without affecting such retiree's monthly retirement benefit, all in accordance with the provisions of W. Va. Code § 18A-2-3. The retired teacher in an area of critical need and shortage may be employed 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.

A retired 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 or she is employed as a substitute.

Any person who retires and begins work as a 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.

Retired teachers employed to perform expanded substitute service pursuant to this policy are considered day-to-day, temporary, part-time employees. The substitute is not eligible for additional pension or other benefits paid to regular employees, and shall not accrue seniority.

When a retired teacher is employed as a substitute to fill a vacant position, the position shall continue to be posted electronically and easily accessible to prospective employees until it is filled with a regularly employed certified teacher.

This policy shall be effective upon approval first by the Tyler County Board of Education, and then by the West Virginia Board of Education for the 2018-2019 school academic year.

The superintendent shall cause a copy of this policy to be transmitted to the West Virginia Board of Education for its approval prior to employment of a retired teacher as a substitute beyond the period now permitted without affecting the retired teacher's monthly retirement benefit.

Prior to the employment of any retired teacher as a substitute beyond the post-retirement employment limitations established by the Consolidated Public Retirement Board, the Superintendent shall submit to the Consolidated Public Retirement Board, and the state board of education, an affidavit, in a form approved by said retirement board, stating the name of the county, the fact that the Tyler County Board of Education has adopted a policy to employ retired teachers as substitutes to address areas of critical need and shortage and the name(s) of the person(s) to be employed pursuant to this policy, the critical need and shortage area position filled by each person, the date that the person gave notice to the county board of the person's intent to retire, and the effective date of the person's retirement.

REFERENCE: West Virginia Code 18A-2-3 and House Bill 2139, 2015.

DATE: 8/20/18, 12/4/17, 8/15/16, 4/4/16, 4/07/15; 8/5/14, 11/4/13, 10/29/12, 9/19/11, 8/15/11, 7/6/10, 7/6/09, 7/7/08, 6/18/07