

## **Policy ~~3120.08~~ 513 – Employment of Personnel for Extra-Curricular Activities Assignments**

Revised policy and repeal of Policy 4120.08 (Employment of Personnel for Extra-Curricular Assignments) effective July 1, 2019

*1<sup>st</sup> reading*      May 23, 2019

*2<sup>nd</sup> reading*

*3<sup>rd</sup> reading*

**Statutory authority**      West Virginia Code 18A-4-16

### **Administrative Guidelines**

(none)

The Board of Education may find it necessary to employ personnel for extra-curricular assignments. Extra-curricular ~~duties~~ assignments shall mean, but not be limited to, any activities that occur at times other than regularly scheduled working hours, which include the instructing, coaching, chaperoning, escorting, providing support services or caring for the needs of students, and which occur on a regularly scheduled basis. Activities which are a natural and required function of a curricular course of study, but which occur outside the regular school day, shall be considered co-curricular and are not considered under this policy.

~~The assignment of teachers to~~ Extra-curricular assignments shall be made only by mutual agreement of the employee and the Superintendent, ~~or designated representative~~, subject to Board approval.

All extracurricular assignments shall be posted for a minimum of five working days and applications shall be received for the same. No extracurricular assignment shall be made unless it has been so posted. Extracurricular assignments in service personnel classifications shall follow this procedure unless an alternative procedure has been approved by two-thirds of the employees within that classification and the Board.

Employment in an extracurricular assignment as an athletic coach shall require the possession of a professional certificate or authorization for coaching from the West Virginia Department of Education. No athletic coach may be employed pending receipt of this certificate or authorization and no one may commence athletic coaching duties until first employed by the Board.

Upon entering an extracurricular assignment, the employee shall be given a probationary (annual) contract, which shall not extend beyond the current school year and shall be subject to annual renewal by the Board for the following school year upon completion of satisfactory service. Upon completion of three years of satisfactory service in that assignment, the employee shall be given a continuing (tenured) contract. Those assistant coaches assigned to support athletic activities in an auxiliary fashion shall only be given probationary contracts and such assignments shall be understood to self-terminate at the end of each school year and require posting annually.

An employee's extracurricular assignment shall be considered wholly separate and apart from his / her regular employment with the Board, if so employed. Assignment to extracurricular duties cannot be a condition of regular employment nor can a regular position be posted to require an extracurricular assignment.

~~The employee and the Superintendent, or a designated representative, subject to Board approval, shall mutually agree upon the maximum number of hours of extra-curricular assignment in each school year for each extra-curricular~~

assignment.

The terms and conditions of the agreement between the employee and the Board shall be in writing and signed by both parties.

An employee's contract of employment shall be separate from the extra-curricular assignment agreement and shall not be conditioned upon the employee's acceptance or continuance of any extra-curricular assignment proposed by the Superintendent, a designated representative, or the Board.

Within the category of other certificates and permits, the State Superintendent may issue certificates for persons to serve in the public schools as athletic coaches or other extra-curricular activities coaches whose duties may include the supervision of students, subject to the following limitations:

—A. such person shall be employed under a contract with the County Board of Education which specifies the duties to be performed, which specifies a rate of pay equivalent to the rate of pay for professional educators in the county who accept similar duties as extra-curricular assignments and which provides for liability insurance associated with the activity

—Such person shall not be considered employees of the Board for salary and benefit purposes other than as specified in the contract.

—B. such person completes an orientation program designed and approved in accordance with West Virginia State Board of Education rules

This policy does not preclude the Board from entering into an extra-curricular coaching assignment agreement with an individual employed by another county's board of education provided both county boards of education agree to the proposed arrangement.

The Superintendent shall establish administrative guidelines to implement this policy.

WV Code 18A-4-16, 18A-3-2a

West Virginia State Board of Education policy 5202

#### *Employment of Personnel for Extra-Curricular Assignments*

The Board of Education may find it necessary to employ personnel for extra-curricular assignments. Extra-curricular duties shall mean, but not be limited to, any activities that occur at times other than regularly scheduled working hours, which include the instructing, coaching, chaperoning, escorting, providing support services or caring for the needs of students, and which occur on a regularly scheduled basis.

The assignment of service personnel to extra-curricular assignments shall be made only by mutual agreement of the employee and the Superintendent, or designated representative, subject to Board approval.

The employee and the Superintendent, or a designated representative, subject to Board approval, shall mutually agree upon the maximum number of hours of extra-curricular assignment in each school year for each extra-curricular assignment.

The terms and conditions of the agreement between the employee and the Board shall be in writing and signed by both parties.

An employee's contract of employment shall be separate from the extra-curricular assignment agreement and shall not be conditioned upon the employee's acceptance or continuance of any extra-curricular assignment proposed by the Superintendent, a designated representative, or the Board.

The Board shall fill extra-curricular school service personnel assignments and vacancies in accordance with Board Policy 4120 and WV 18A-4-8b except that an alternative procedure for making extra-curricular school service personnel assignments within a particular classification category of employment may be utilized if the alternative procedure is

~~approved by both Board and an affirmative vote of two thirds (2/3's) of the employees within that classification category of employment.~~

~~An employee who was employed in any service personnel extra-curricular assignment during the previous school year shall have the option of retaining the assignment if it continues to exist in any succeeding school year. The Board may terminate any school service personnel extra-curricular assignment for lack of need pursuant to WV 18A-2-7. If an extra-curricular contract has been terminated and is reestablished in any succeeding school year, it shall be offered to the employee who held the assignment at the time of its termination. If the employee declines the assignment, the extra-curricular assignments shall be posted and filled pursuant to Board Policy 4120 and WV 18A-4-8b.~~

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