

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 576

(By Senators Beach, Edgell and Williams)

[Originating in the Committee on Education;
reported February 23, 2012.]

A BILL to amend and reenact §18A-2-2, §18A-2-6, §18A-2-7 and §18A-2-8a of the Code of West Virginia, 1931, as amended; and to amend and reenact §18A-4-7a of said code, all relating to school personnel; changing certain deadlines pertaining to termination of a continuing contract, resignation, retirement, transfer and rehiring of probationary employees; changing the number of days prior to the beginning of the instructional term for limiting the transfer of certain employees; and restricting application of certain provisions pertaining to limiting the transfer of certain employees.

Be it enacted by the Legislature of West Virginia:

That §18A-2-2, §18A-2-6, §18A-2-7 and §18A-2-8a of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §18A-4-7a of said code be amended and reenacted, all to read as follows:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-2. Employment of teachers; contracts; continuing contract status; how terminated; dismissal for lack of need; released time; failure of teacher to perform contract or violation thereof; written notice bonus for teachers and professional personnel.

1 (a) Before entering upon their duties, all teachers shall
2 execute a contract with their county boards, which shall
3 state the salary to be paid and shall be in the form prescribed
4 by the state superintendent. Each contract shall be signed by
5 the teacher and by the president and secretary of the county
6 board and shall be filed, together with the certificate of the
7 teacher, by the secretary of the office of the county board:
8 *Provided*, That when necessary to facilitate the employment
9 of employable professional personnel and prospective and
10 recent graduates of teacher education programs who have
11 not yet attained certification, the contract may be signed
12 upon the condition that the certificate is issued to the

13 employee prior to the beginning of the employment term in
14 which the employee enters upon his or her duties.

15 (b) Each teacher's contract, under this section, shall be
16 designated as a probationary or continuing contract. A
17 probationary teacher's contract shall be for a term of not less
18 than one nor more than three years, one of which shall be for
19 completion of a beginning teacher internship pursuant to the
20 provisions of section two-b, article three of this chapter, if
21 applicable. If, after three years of such employment, the
22 teacher who holds a professional certificate, based on at least
23 a bachelor's degree, has met the qualifications for a bache-
24 lor's degree and the county board enter into a new contract
25 of employment, it shall be a continuing contract, subject to
26 the following:

27 (1) Any teacher holding a valid certificate with less than
28 a bachelor's degree who is employed in a county beyond the
29 three-year probationary period shall upon qualifying for the
30 professional certificate based upon a bachelor's degree, if
31 reemployed, be granted continuing contract status; and

32 (2) A teacher holding continuing contract status with one
33 county shall be granted continuing contract status with any
34 other county upon completion of one year of acceptable

35 employment if the employment is during the next succeeding
36 school year or immediately following an approved leave of
37 absence extending no more than one year.

38 (c) The continuing contract of any teacher shall remain
39 in full force and effect except as modified by mutual consent
40 of the school board and the teacher, unless and until termi-
41 nated, subject to the following:

42 (1) A continuing contract may not be terminated except:

43 (A) By a majority vote of the full membership of the
44 county board on or before ~~February 1~~ March 1 of the then
45 current year, after written notice, served upon the teacher,
46 return receipt requested, stating cause or causes and an
47 opportunity to be heard at a meeting of the board prior to the
48 board's action on the termination issue; or

49 (B) By written resignation of the teacher on or before
50 ~~February 1~~ March 1 to initiate termination of a continuing
51 contract;

52 (2) The termination shall take effect at the close of the
53 school year in which the contract is terminated;

54 (3) The contract may be terminated at any time by
55 mutual consent of the school board and the teacher;

56 (4) This section does not affect the powers of the school
57 board to suspend or dismiss a principal or teacher pursuant
58 to section eight of this article;

59 (5) A continuing contract for any teacher holding a
60 certificate valid for more than one year and in full force and
61 effect during the school year 1984-1985 shall remain in full
62 force and effect;

63 (6) A continuing contract does not operate to prevent a
64 teacher's dismissal based upon the lack of need for the
65 teacher's services pursuant to the provisions of law relating
66 to the allocation to teachers and pupil-teacher ratios. The
67 written notification of teachers being considered for dis-
68 missal for lack of need shall be limited to only those teachers
69 whose consideration for dismissal is based upon known or
70 expected circumstances which will require dismissal for lack
71 of need. An employee who was not provided notice and an
72 opportunity for a hearing pursuant to this subsection may
73 not be included on the list. In case of dismissal for lack of
74 need, a dismissed teacher shall be placed upon a preferred
75 list in the order of their length of service with that board. No
76 teacher may be employed by the board until each qualified
77 teacher upon the preferred list, in order, has been offered the

78 opportunity for reemployment in a position for which he or
79 she is qualified, not including a teacher who has accepted a
80 teaching position elsewhere. The reemployment shall be
81 upon a teacher's preexisting continuing contract and has the
82 same effect as though the contract had been suspended
83 during the time the teacher was not employed.

84 (d) In the assignment of position or duties of a teacher
85 under a continuing contract, the board may provide for
86 released time of a teacher for any special professional or
87 governmental assignment without jeopardizing the contrac-
88 tual rights of the teacher or any other rights, privileges or
89 benefits under the provisions of this chapter. Released time
90 shall be provided for any professional educator while serving
91 as a member of the Legislature during any duly constituted
92 session of that body and its interim and statutory committees
93 and commissions without jeopardizing his or her contractual
94 rights or any other rights, privileges, benefits or accrual of
95 experience for placement on the state minimum salary
96 schedule in the following school year under the provisions of
97 this chapter, board policy and law.

98 (e) Any teacher who fails to fulfill his or her contract
99 with the board, unless prevented from doing so by personal

100 illness or other just cause or unless released from his or her
101 contract by the board, or who violates any lawful provision
102 of the contract, is disqualified to teach in any other public
103 school in the state for a period of the next ensuing school
104 year and the State Department of Education or board may
105 hold all papers and credentials of the teacher on file for a
106 period of one year for the violation: *Provided*, That marriage
107 of a teacher is not considered a failure to fulfill, or violation
108 of, the contract.

109 (f) Any classroom teacher, as defined in section one,
110 article one of this chapter, who desires to resign employment
111 with a county board or request a leave of absence, the
112 resignation or leave of absence to become effective on or
113 before July 15 of the same year and after completion of the
114 employment term, may do so at any time during the school
115 year by written notification of the resignation or leave of
116 absence and any notification received by a county board
117 shall automatically extend the teacher's public employee
118 insurance coverage until August 31 of the same year.

119 (g) (1) A classroom teacher who gives written notice to
120 the county board on or before ~~December 1~~ January 15 of the
121 school year of his or her retirement from employment with

122 the board at the conclusion of the school year shall be paid
123 \$500 from the Early Notification of Retirement line item
124 established for the Department of Education for this pur-
125 pose, subject to appropriation by the Legislature. If the
126 appropriations to the Department of Education for this
127 purpose are insufficient to compensate all applicable
128 teachers, the Department of Education shall request a
129 supplemental appropriation in an amount sufficient to
130 compensate all such teachers. Additionally, if funds are still
131 insufficient to compensate all applicable teachers, the
132 priority of payment is for teachers who give written notice
133 the earliest. This payment shall not be counted as part of the
134 final average salary for the purpose of calculating retire-
135 ment.

136 (2) The position of a classroom teacher providing written
137 notice of retirement pursuant to this subsection may be
138 considered vacant and the county board may immediately
139 post the position as an opening to be filled at the conclusion
140 of the school year. If a teacher has been hired to fill the
141 position of a retiring classroom teacher prior to the start of
142 the next school year, the retiring classroom teacher is
143 disqualified from continuing his or her employment in that

144 position. However, the retiring classroom teacher may be
145 permitted to continue his or her employment in that position
146 and forfeit the early retirement notification payment if, after
147 giving notice of retirement in accordance with this subsec-
148 tion, he or she becomes subject to a significant unforeseen
149 financial hardship, including a hardship caused by the death
150 or illness of an immediate family member or loss of employ-
151 ment of a spouse. Other significant unforeseen financial
152 hardships shall be determined by the county superintendent
153 on a case-by-case basis. This subsection does not prohibit a
154 county school board from eliminating the position of a
155 retiring classroom teacher.

§18A-2-6. Continuing contract status for service personnel; termination.

1 After three years of acceptable employment, each service
2 personnel employee who enters into a new contract of
3 employment with the board shall be granted continuing
4 contract status: *Provided*, That a service personnel employee
5 holding continuing contract status with one county shall be
6 granted continuing contract status with any other county
7 upon completion of one year of acceptable employment if
8 such employment is during the next succeeding school year

9 or immediately following an approved leave of absence
10 extending no more than one year. The continuing contract of
11 any such employee shall remain in full force and effect
12 except as modified by mutual consent of the school board
13 and the employee, unless and until terminated with written
14 notice, stating cause or causes, to the employee, by a major-
15 ity vote of the full membership of the board before ~~February~~
16 ± March 1 of the then current year, or by written resignation
17 of the employee on or before that date. The affected em-
18 ployee has the right of a hearing before the board, if re-
19 quested, before final action is taken by the board upon the
20 termination of such employment.

21 Those employees who have completed three years of
22 acceptable employment as of the effective date of this
23 legislation shall be granted continuing contract status.

**§18A-2-7. Assignment, transfer, promotion, demotion, suspension
and recommendation of dismissal of school person-
nel by superintendent; preliminary notice of trans-
fer; hearing on the transfer; proof required.**

1 (a) The superintendent, subject only to approval of the
2 board, may assign, transfer, promote, demote or suspend
3 school personnel and recommend their dismissal pursuant to

4 provisions of this chapter. However, an employee shall be
5 notified in writing by the superintendent on or before
6 ~~February 1~~ March 1 if he or she is being considered for
7 transfer or to be transferred. Only those employees whose
8 consideration for transfer or intended transfer is based upon
9 known or expected circumstances which will require the
10 transfer of employees shall be considered for transfer or
11 intended for transfer and the notification shall be limited to
12 only those employees. Any teacher or employee who desires
13 to protest the proposed transfer may request in writing a
14 statement of the reasons for the proposed transfer. The
15 statement of reasons shall be delivered to the teacher or
16 employee within ten days of the receipt of the request.
17 Within ten days of the receipt of the statement of the reasons,
18 the teacher or employee may make written demand upon the
19 superintendent for a hearing on the proposed transfer before
20 the county board of education. The hearing on the proposed
21 transfer shall be held on or before ~~March 15~~ April 15. At the
22 hearing, the reasons for the proposed transfer must be
23 shown.

24 (b) The superintendent at a meeting of the board on or
25 before ~~March 15~~ April 15 shall furnish in writing to the

26 board a list of teachers and other employees to be considered
27 for transfer and subsequent assignment for the next ensuing
28 school year. An employee who was not provided notice and
29 an opportunity for a hearing pursuant to subsection (a) of
30 this section may not be included on the list. All other
31 teachers and employees not so listed shall be considered as
32 reassigned to the positions or jobs held at the time of this
33 meeting. The list of those recommended for transfer shall be
34 included in the minute record of the meeting and all those so
35 listed shall be notified in writing, which notice shall be
36 delivered in writing, by certified mail, return receipt re-
37 quested, to the persons' last known addresses within ten days
38 following the board meeting, of their having been so recom-
39 mended for transfer and subsequent assignment and the
40 reasons therefor.

41 (c) The superintendent's authority to suspend school
42 personnel shall be temporary only pending a hearing upon
43 charges filed by the superintendent with the board of
44 education and the period of suspension may not exceed thirty
45 days unless extended by order of the board.

46 (d) The provisions of this section respecting hearing upon
47 notice of transfer is not applicable in emergency situations

48 where the school building becomes damaged or destroyed
49 through an unforeseeable act and which act necessitates a
50 transfer of the school personnel because of the aforemen-
51 tioned condition of the building.

**§18A-2-8a. Notice to probationary personnel of rehiring or
nonrehiring; hearing.**

1 The superintendent at a meeting of the board on or
2 before ~~March 15~~ April 15 of each year shall provide in
3 writing to the board a list of all probationary teachers that
4 he or she recommends to be rehired for the next ensuing
5 school year. The board shall act upon the superintendent's
6 recommendations at that meeting in accordance with section
7 one of this article. The board at this same meeting shall also
8 act upon the retention of other probationary employees as
9 provided in sections two and five of this article. Any such
10 probationary teacher or other probationary employee who is
11 not rehired by the board at that meeting shall be notified in
12 writing, by certified mail, return receipt requested, to such
13 persons' last known addresses within ten days following said
14 board meeting, of their not having been rehired or not having
15 been recommended for rehiring.

16 Any probationary teacher who receives notice that he or
17 she has not been recommended for rehiring or other proba-
18 tionary employee who has not been reemployed may within
19 ten days after receiving the written notice request a state-
20 ment of the reasons for not having been rehired and may
21 request a hearing before the board. The hearing shall be held
22 at the next regularly scheduled board of education meeting
23 or a special meeting of the board called within thirty days of
24 the request for hearing. At the hearing, the reasons for the
25 nonrehiring must be shown.

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

**§18A-4-7a. Employment, promotion and transfer of professional
personnel; seniority.**

1 (a) A county board of education shall make decisions
2 affecting the hiring of professional personnel other than
3 classroom teachers on the basis of the applicant with the
4 highest qualifications.

5 (b) The county board shall make decisions affecting the
6 hiring of new classroom teachers on the basis of the appli-
7 cant with the highest qualifications.

8 (c) In judging qualifications for hiring employees pursu-
9 ant to subsections (a) and (b) of this section, consideration
10 shall be given to each of the following:

- 11 (1) Appropriate certification, licensure or both;
- 12 (2) Amount of experience relevant to the position; or, in
13 the case of a classroom teaching position, the amount of
14 teaching experience in the subject area;
- 15 (3) The amount of course work, degree level or both in
16 the relevant field and degree level generally;
- 17 (4) Academic achievement;
- 18 (5) Relevant specialized training;
- 19 (6) Past performance evaluations conducted pursuant to
20 section twelve, article two of this chapter; and
- 21 (7) Other measures or indicators upon which the relative
22 qualifications of the applicant may fairly be judged.
- 23 (d) If one or more permanently employed instructional
24 personnel apply for a classroom teaching position and meet
25 the standards set forth in the job posting, the county board
26 of education shall make a decision affecting the filling of the
27 position on the basis of the following criteria:
- 28 (1) Appropriate certification, licensure or both;
- 29 (2) Total amount of teaching experience;
- 30 (3) The existence of teaching experience in the required
31 certification area;
- 32 (4) Degree level in the required certification area;

33 (5) Specialized training directly related to the perfor-
34 mance of the job as stated in the job description;

35 (6) Receiving an overall rating of satisfactory in the
36 previous two evaluations conducted pursuant to section
37 twelve, article two of this chapter; and

38 (7) Seniority.

39 (e) In filling positions pursuant to subsection (d) of this
40 section, consideration shall be given to each criterion with
41 each criterion being given equal weight. If the applicant with
42 the most seniority is not selected for the position, upon the
43 request of the applicant a written statement of reasons shall
44 be given to the applicant with suggestions for improving the
45 applicant's qualifications.

46 (f) With the exception of guidance counselors, the
47 seniority of classroom teachers, as defined in section one,
48 article one of this chapter shall be determined on the basis of
49 the length of time the employee has been employed as a
50 regular full-time certified and/or licensed professional
51 educator by the county board of education and shall be
52 granted in all areas that the employee is certified, licensed or
53 both.

54 (g) Upon completion of one hundred thirty-three days of
55 employment in any one school year, substitute teachers,
56 except retired teachers and other retired professional
57 educators employed as substitutes, shall accrue seniority
58 exclusively for the purpose of applying for employment as a
59 permanent, full-time professional employee. One hundred
60 thirty-three days or more of said employment shall be
61 prorated and shall vest as a fraction of the school year
62 worked by the permanent, full-time teacher.

63 (h) Guidance counselors and all other professional
64 employees, as defined in section one, article one of this
65 chapter, except classroom teachers, shall gain seniority in
66 their nonteaching area of professional employment on the
67 basis of the length of time the employee has been employed
68 by the county board of education in that area: *Provided*, That
69 if an employee is certified as a classroom teacher, the
70 employee accrues classroom teaching seniority for the time
71 that that employee is employed in another professional area.
72 For the purposes of accruing seniority under this paragraph,
73 employment as principal, supervisor or central office
74 administrator, as defined in section one, article one of this
75 chapter, shall be considered one area of employment.

76 (i) Employment for a full employment term shall equal
77 one year of seniority, but no employee may accrue more than
78 one year of seniority during any given fiscal year. Employ-
79 ment for less than the full employment term shall be pro-
80 rated. A random selection system established by the employ-
81 ees and approved by the board shall be used to determine the
82 priority if two or more employees accumulate identical
83 seniority: *Provided*, That when two or more principals have
84 accumulated identical seniority, decisions on reductions in
85 force shall be based on qualifications.

86 (j) Whenever a county board is required to reduce the
87 number of professional personnel in its employment, the
88 employee with the least amount of seniority shall be properly
89 notified and released from employment pursuant to the
90 provisions of section two, article two of this chapter. The
91 provisions of this subsection are subject to the following:

92 (1) All persons employed in a certification area to be
93 reduced who are employed under a temporary permit shall
94 be properly notified and released before a fully certified
95 employee in such a position is subject to release;

96 (2) An employee subject to release shall be employed in
97 any other professional position where the employee is

98 certified and was previously employed or to any lateral area
99 for which the employee is certified, licensed or both, if the
100 employee's seniority is greater than the seniority of any other
101 employee in that area of certification, licensure or both;

102 (3) If an employee subject to release holds certification,
103 licensure or both in more than one lateral area and if the
104 employee's seniority is greater than the seniority of any other
105 employee in one or more of those areas of certification,
106 licensure or both, the employee subject to release shall be
107 employed in the professional position held by the employee
108 with the least seniority in any of those areas of certification,
109 licensure or both; and

110 (4) If, prior to August 1, of the year a reduction in force
111 is approved, the reason for any particular reduction in force
112 no longer exists as determined by the county board in its sole
113 and exclusive judgment, the board shall rescind the reduc-
114 tion in force or transfer and shall notify the released em-
115 ployee in writing of his or her right to be restored to his or
116 her position of employment. Within five days of being so
117 notified, the released employee shall notify the board, in
118 writing, of his or her intent to resume his or her position of
119 employment or the right to be restored shall terminate.

120 Notwithstanding any other provision of this subdivision, if
121 there is another employee on the preferred recall list with
122 proper certification and higher seniority, that person shall be
123 placed in the position restored as a result of the reduction in
124 force being rescinded.

125 (k) For the purpose of this article, all positions which
126 meet the definition of "classroom teacher" as defined in
127 section one, article one of this chapter shall be lateral
128 positions. For all other professional positions, the county
129 board of education shall adopt a policy by October 31, 1993,
130 and may modify the policy thereafter as necessary, which
131 defines which positions shall be lateral positions. The board
132 shall submit a copy of its policy to the state board within
133 thirty days of adoption or any modification, and the state
134 board shall compile a report and submit the report to the
135 Legislative Oversight Commission on Education Account-
136 ability by December 31, 1993, and by that date in any
137 succeeding year in which any county board submits a
138 modification of its policy relating to lateral positions. In
139 adopting the policy, the board shall give consideration to the
140 rank of each position in terms of title; nature of responsibili-

141 ties; salary level; certification, licensure or both; and days in
142 the period of employment.

143 (1) After the ~~first~~ twentieth day prior to the beginning of
144 the instructional term, no person employed and assigned to
145 a professional position may transfer to another professional
146 position in the county during that instructional term unless
147 the person holding that position does not have valid certifi-
148 cation. The provisions of this subsection are subject to the
149 following:

150 (1) The person may apply for any posted, vacant positions
151 with the successful applicant assuming the position at the
152 beginning of the next instructional term;

153 (2) Professional personnel who have been on an approved
154 leave of absence may fill these vacancies upon their return
155 from the approved leave of absence; ~~and~~

156 (3) The county board, upon recommendation of the
157 superintendent may fill a position before the next instruc-
158 tional term when it is determined to be in the best interest of
159 the students. ~~Provided, That~~ The county superintendent shall
160 notify the state board of each transfer of a person employed
161 in a professional position to another professional position

162 after the ~~fifth~~ twentieth day prior to the beginning of the
163 instructional term;

164 (4) The provisions of this subsection do not apply to the
165 filling of a position vacated because of resignation or
166 retirement that became effective on or before the twentieth
167 day prior to the beginning of the instructional term, but not
168 posted until after that date; and

169 (5) The Legislature finds that it is not in the best interest
170 of the students particularly in the elementary grades to have
171 multiple teachers for any one grade level or course during
172 the instructional term. It is the intent of the Legislature that
173 the filling of positions through transfers of personnel from
174 one professional position to another after the ~~fifth~~ twentieth
175 day prior to the beginning of the instructional term should
176 be kept to a minimum.

177 (m) All professional personnel whose seniority with the
178 county board is insufficient to allow their retention by the
179 county board during a reduction in work force shall be
180 placed upon a preferred recall list. As to any professional
181 position opening within the area where they had previously
182 been employed or to any lateral area for which they have
183 certification, licensure or both, the employee shall be

184 recalled on the basis of seniority if no regular, full-time
185 professional personnel, or those returning from leaves of
186 absence with greater seniority, are qualified, apply for and
187 accept the position.

188 (n) Before position openings that are known or expected
189 to extend for twenty consecutive employment days or longer
190 for professional personnel may be filled by the board, the
191 board shall be required to notify all qualified professional
192 personnel on the preferred list and give them an opportunity
193 to apply, but failure to apply shall not cause the employee to
194 forfeit any right to recall. The notice shall be sent by certi-
195 fied mail to the last known address of the employee, and it
196 shall be the duty of each professional personnel to notify the
197 board of continued availability annually, of any change in
198 address or of any change in certification, licensure or both.

199 (o) Openings in established, existing or newly created
200 positions shall be processed as follows:

201 (1) Boards shall be required to post and date notices
202 which shall be subject to the following:

203 (A) The notices shall be posted in conspicuous working
204 places for all professional personnel to observe for at least
205 five working days;

206 (B) The notice shall be posted within twenty working
207 days of the position openings and shall include the job
208 description;

209 (C) Any special criteria or skills that are required by the
210 position shall be specifically stated in the job description and
211 directly related to the performance of the job;

212 (D) Postings for vacancies made pursuant to this section
213 shall be written so as to ensure that the largest possible pool
214 of qualified applicants may apply; and

215 (E) Job postings may not require criteria which are not
216 necessary for the successful performance of the job and may
217 not be written with the intent to favor a specific applicant;

218 (2) No vacancy shall be filled until after the five-day
219 minimum posting period;

220 (3) If one or more applicants meets the qualifications
221 listed in the job posting, the successful applicant to fill the
222 vacancy shall be selected by the board within thirty working
223 days of the end of the posting period;

224 (4) A position held by a teacher who is certified, licensed
225 or both, who has been issued a permit for full-time employ-
226 ment and is working toward certification in the permit area

227 shall not be subject to posting if the certificate is awarded
228 within five years; and

229 (5) Nothing provided herein shall prevent the county
230 board of education from eliminating a position due to lack of
231 need.

232 (p) Notwithstanding any other provision of the code to
233 the contrary, where the total number of classroom teaching
234 positions in an elementary school does not increase from one
235 school year to the next, but there exists in that school a need
236 to realign the number of teachers in one or more grade levels,
237 kindergarten through six, teachers at the school may be
238 reassigned to grade levels for which they are certified
239 without that position being posted: *Provided*, That the
240 employee and the county board of education mutually agree
241 to the reassignment.

242 (q) Reductions in classroom teaching positions in
243 elementary schools shall be processed as follows:

244 (1) When the total number of classroom teaching posi-
245 tions in an elementary school needs to be reduced, the
246 reduction shall be made on the basis of seniority with the
247 least senior classroom teacher being recommended for
248 transfer; and

249 (2) When a specified grade level needs to be reduced and
250 the least senior employee in the school is not in that grade
251 level, the least senior classroom teacher in the grade level
252 that needs to be reduced shall be reassigned to the position
253 made vacant by the transfer of the least senior classroom
254 teacher in the school without that position being posted:
255 *Provided*, That the employee is certified, licensed or both
256 and agrees to the reassignment.

257 (r) Any board failing to comply with the provisions of
258 this article may be compelled to do so by mandamus and
259 shall be liable to any party prevailing against the board for
260 court costs and reasonable attorney fees as determined and
261 established by the court. Further, employees denied promo-
262 tion or employment in violation of this section shall be
263 awarded the job, pay and any applicable benefits retroactive
264 to the date of the violation and payable entirely from local
265 funds. Further, the board shall be liable to any party prevail-
266 ing against the board for any court reporter costs including
267 copies of transcripts.

268 (s) The county board shall compile, update annually on
269 July 1 and make available by electronic or other means to all

270 employees a list of all professional personnel employed by
271 the county, their areas of certification and their seniority.