

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 130.02

EFFECTIVE DATE: 04 February 2026

SUBJECT: VACANCY RATE

POLICY DIRECTIVE

PURPOSE:

To provide policy ensuring the overall vacancy rate is documented for staff positions authorized to work directly with offenders.

REFERENCE:

ACA Expected Practices ACI-1C-05; 5-JCF-7C-10; and 1-JDTP-1C-06.

RESPONSIBILITY:

Superintendents are responsible for enacting facility-specific Operational Procedures to ensure compliance with this Policy Directive.

CANCELLATION:

Any previous written instruction on the subject.

APPLICABILITY:

All facilities and Youth Reporting Centers (YRCs) within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution.

DEFINITIONS:

Offender: For the purposes of this Policy, this includes adult inmates, young adult offenders, juvenile residents, and YRC participants.

POLICY:

- I. Each facility Superintendent and Youth Reporting Center (YRC) Director can document that the overall vacancy rate among staff positions authorized for working directly with offenders does not exceed ten percent (10%) for any eighteen (18) month period.

- A. Position vacancies that are frozen (such as by legislative or fiscal controls) should not be considered in the ten percent (10%) vacancy rate.
 - B. When unusual conditions cause an excessive number of vacancies, the Superintendent or Director (as appropriate) should notify the applicable Assistant Commissioner in writing about the disparity between positions authorized and filled, documenting the reasons and alerting agency leadership to the potential problems.
- II. Each facility should define in their Operational Procedure the staff who work directly with offenders (e.g., correctional officers, teachers, recreation staff, counselors, chaplains, substance abuse therapists, etc.) for the purposes of this Policy.

ATTACHMENT(S):

None.

APPROVED SIGNATURE:



David L. Kelly, Commissioner

01/06/2026

Date