

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the district that teaching staff member positions be filled with highly qualified and competent teaching staff members.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. The Board shall approve the employment, fix the compensation, and establish the term of employment for every teaching staff member employed by this district. Approval shall be given only to those candidates for employment recommended by the Superintendent.

No teaching staff member shall be employed unless he/she is a holder of a valid certificate in accordance with the New Jersey Department of Education and applicable statutes and administrative codes.

The Superintendent shall require proof of any candidate's certification or pending application for certification.

No person shall be employed in a position involving regular contact with pupils unless the Board has notice that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

Criminal history record checks will be required pursuant to New Jersey Department of Education regulations and procedures. Any person to be employed by the district, other than a school bus driver, must undergo a criminal history background check. School bus drivers are subject to criminal history record checks in accordance with New Jersey and Federal licensing requirements. All contracted employees having regular pupil contact must undergo a criminal record history check. Approval letters will be valid only for the district or contract service provider through which the person to be employed made application for employment.

A permanent employee hired prior to October 8, 1986, who applies for and is selected for a different position in the district is "grandfathered" and not required to undergo a criminal history background check. An employee hired after October 8, 1986 for a position without regular pupil contact and later receives a position with pupil contact, must undergo a criminal history background check at the time of transfer to the new position.

Volunteers that work on a regular basis and may work with children under the supervision of a certified teaching staff member, are subject to a criminal history record check at the Board's expense. Student teachers are not subject to this criminal history record information requirement. An individual shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for crimes as defined in N.J.S.A. 18A:6-7.1 et seq.

Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check. A substitute employee later selected for a permanent position within the district does not need to undergo a new criminal history background check provided there is no break in service in the substitute employment. A break in service is when the employee is no longer approved by the employing Board of Education. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the district and/or contractor must submit to a new criminal history background check.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history records check if the Board or contractor demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.1c. In the event the criminal background check is not completed for an emergent hired employee within three months, the Board or contractor may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be furnished unless the applicant provided written consent to the check. The applicant shall bear the cost for the check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history background check.

Nepotism

The administrative staff shall recruit, select, and recommend the best qualified people for professional positions.

1. The Board of Education, in order to avoid the reality and the appearance of conflict of interest in employment, will not appoint a member of the immediate family of a Board member to a ten or twelve-month position. The Board shall not appoint a member of the immediate family of an administrator to a ten or twelve-month position in this district without having received prior written notification from that Board member or administrator of the relationship.

For the purpose of this policy, immediate family shall be defined as grandparent, parent, spouse, child, grandchild, sibling, aunt, uncle, or first cousin whether by blood or marriage.

2. Persons who are employees of the Board on the date that this policy becomes effective shall not be discharged because of this policy, nor shall they be denied reemployment succeeding years because of it.
3. Where, in the normal course of administrations, it becomes necessary for an administrator or supervisor to perform the primary evaluation or to supervise any members of his or her immediate family, the administrator/supervisor shall notify the Board of this situation. Subject to Board approval, whenever possible, such evaluation and/or supervision shall be performed by supervisors or administrators who are not related to the particular employee.

This policy will be attached to each employment application.

A teaching staff member's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

Substitute Teachers

The Board will employ substitutes for absent teachers in order to ensure continuity in the instructional program and will annually approve a list of substitutes and the rate of pay.

The Superintendent may select substitutes from the list approved by the Board to serve in the place of an absent teacher who retains an entitlement to a regular position. The Superintendent may employ, subject to ratification by the Board at the next meeting of the Board, substitutes who have not received the prior approval of the Board when no approved substitute is available.

Preference will be given to substitutes who are fully certified in the area for which they are engaged. A substitute who holds a county substitute certificate or a regular certificate without appropriate endorsements shall serve no more than twenty consecutive days in the same position.

A substitute teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted or unavailable, the instructions of the Principal. A substitute may not plan or direct an instructional program except as expressly permitted by the Superintendent.

Holders of a valid county substitute certificate may serve for no more than twenty consecutive days in the same position in one school district during the school year.

Holders of a certificate of eligibility with advanced standing or a standard New Jersey instructional certificate may serve as a substitute teacher in areas authorized by their credentials for a period of sixty days and in areas outside of their endorsement for a period of thirty days.

Short-Term Assignments

A per diem substitute called for a teacher who is on short-term leave. He or she shall be paid at the current school year per diem substitute rate.

Long-Term Assignments

A substitute, fully certified by the State of New Jersey to teach the subject or grade, after twenty days of continuous teaching in the same class, will receive 1/200 of the base salary of the degree required for that particular position from the twenty-first day.

A substitute, fully certified by the State of New Jersey to teach the subject or grade in a vacated position, will receive 1/200 of the base salary starting the first day if the assignment is specifically approved by the Board of Education.

A substitute, fully certified by the State of New Jersey to teach the subject or grade in a non-vacated position, will receive 1/200 of the base salary starting the first day if the assignment is specifically approved by the Board of Education.

A long-term substitute will be entitled to one day paid sick leave and one half day paid noncumulative personal leave for each month of service (calculated from the first day of employment in that position). No other benefits will be provided.

A vacated position, as used in this policy, is a position from which the appointed teacher has resigned, or has been granted unpaid leave, i.e., Personal or Family Medical Leaves.

Summer School Teachers

The Board shall approve the employment, fix the compensation, and set the term of employment for each person employed in the summer school program established for this district. The Board will employ only those candidates recommended by the Superintendent.

Primary consideration will be given to candidates for summer school employment who are employed in this district.

Service as a summer school teacher will not count toward the accrual of tenure or seniority.

Athletic Coaches

The Board authorizes the Superintendent to recommend the employment of qualified coaches for the district interscholastic and intramural athletic programs. The Board will employ as athletic coaches only those persons who have experience in and knowledge of the specific sport, are properly certified, and possess the personal characteristics that qualify them to serve as role models to the pupils they coach.

The Superintendent shall advertise a vacancy in a coaching position by posting notice of the vacancy in this school district and by simultaneously advertising the vacancy by appropriate means throughout the region. The Superintendent may thereafter recommend to the Board the employment of any qualified candidate for the coaching position who possesses an instructional certificate issued by the New Jersey State Board of Examiners.

In the event there is no qualified and certified applicant for a coaching position, the Superintendent may recommend to the Board a candidate who is the holder of a county substitute's certificate, provided the Superintendent demonstrates to the County Superintendent the vacant coaching position has been advertised and no qualified applicant based on the written school district standards for the position has applied. The Superintendent must provide a letter to the County Superintendent attesting to the prospective employee's knowledge and experience in the sport in which he or she will coach. Approval of the County Superintendent shall be obtained prior to such employment by the Board.

An athletic coach employed under a county substitute's certificate shall be employed for a single designated sports season and the 20-day limitation provided in N.J.A.C. 6:11-4.5(c) shall not apply to such coaching situations.

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An athletic coach employed by this district who is not a regular employee of this district shall be employed only for the duration of the specific sport season. He/She shall be paid the stipend that would be paid to a district employee in the same position and shall be supervised by the Assistant Superintendent. No out-of-district athletic coach shall be eligible for tenure or for employment benefits.

An athletic trainer shall possess an educational services certificate issued by the State Board of Examiners pursuant to N.J.S.A. 18A:26-4 and 18A:26-5.

N.J.S.A. 18A:6-5 et seq.; 18A:6-7.1 et seq.; 18A:16-1;
18A:26-1 et seq.; 18A:27-1; 18A:27-4 et seq.
N.J.A.C. 6:11-3.1; 6:11-4.2 et seq.; 6:11-5.1 et seq.;
6:11-3.24; 6:11-11.21