

3125.1 EMPLOYMENT OF NON-REPRESENTED EMPLOYEES

Non-represented employees are district employees who are not covered by specific recognition in collective bargaining agreements. The category and classification of employees covered by this policy are maintained in the Human Resource office.

Hourly employees, temporary employees, and the titles Substitute Teacher and the Treasurer of School Monies are not covered by this policy. The Board of Education, in approving new positions for employment with the recommendation of the Superintendent of Schools, may on occasion designate such positions to be covered by this policy.

1. Recruitment and Selection

All non-represented positions shall be filled by persons satisfying the educational and experiential requirements of the job description and demonstrating the knowledge and skills needed to perform the tasks described. All employees must be capable of working effectively with pupils, staff, and members of the public with whom he or she will be in contact.

2. Evaluation and Work Year

a. Evaluation – The performance of each non-represented employee shall be evaluated at least twice a year by his/her designated supervisor, except in the case of tenured or tenure-eligible employees, who shall be evaluated according to law. All written evaluations will be reviewed with the employee who shall acknowledge receipt of same and who shall be afforded a reasonable opportunity to submit and have recorded any comments in regard thereto. Copies of all written evaluations and employee comments will be forwarded to the Superintendent of Schools.

b. Work Year – The Superintendent of Schools may, on an individual basis and consistent with the operating needs of the district, designate the specific hours and/or days that each employee subject to this policy.

3. Probation and Tenure

All non-represented employees covered by this policy shall be considered at-will employees, except to the extent that specific laws mandate additional statutory or contractual protections.

4. Compensation and Benefits

- a. Salary – The Board shall from time to time establish salary ranges or salary guides for each position or for groups of similar or related positions. The Board shall determine initial placement of a new employee within a salary range or guide, and shall annually consider salary increments and/or adjustments each for the next fiscal year upon recommendation of the Superintendent of Schools. Any person initially employed after April 30 will not be eligible for a salary increment/adjustment until the fiscal year beginning July 1 of the next following year.
- b. Personal Leave – The Superintendent of Schools may, consistent with the operating needs of the district, grant to an employee covered by this policy personal leave with pay. Except as provided below, such grant of leave shall not exceed a total of six days per year, plus three additional days per year for each death in the employee’s immediate family. Except as provided below, all such leave is non-cumulative and is not carried over from year to year. The circumstances under which such leave may be granted and specific limitations are:
 - (1) Leave due to serious illness in the employee's immediate family. Immediate family in this case shall mean spouse, civil union partner, child, mother, father, or a relative who lives within the household of the staff member. Nothing herein shall preclude the employee from applying for unpaid leave under the Family Leave Act in the event that paid leave is denied or exhausted.
 - (2) Leave due to death in non-immediate family. Non-immediate family in this case shall mean grandparent, grandchild, niece, nephew, aunt, uncle, cousin, brother-in-law, sister-in-law, daughter or son-in-law not living in the household of the staff member. Leave in such cases shall be allowed with pay only for the day of the funeral.
 - (3) Leave due to death in the immediate family. Immediate family shall mean spouse, civil union partner, child, mother, father, brother, sister, mother-in-law, father-in-law, or other relative who lives within the employee's household. The absence may precede, include or follow the death of a member of the immediate family.

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- (4) Leave to comply with legal process. Paid leave as may be necessary to permit an employee to comply with a subpoena or other compulsory legal process may be granted. An employee's voluntary participation as a party or witness in a legal proceeding shall not be a basis for paid leave. Service on a petit or grand jury, or on a panel from which such jury is drawn, if done pursuant to compulsory process, shall be eligible for paid leave for the actual duration of such service provided that the employee reimburses the district to the extent that the employee is directly compensated for such service.
- (5) Leave for other personal reasons. Paid leave may also be granted for:
 - (a) Marriage of the employee, for up to three days;
 - (b) Graduation of the employee, spouse, civil union partner or his/her child, up to one day per year;
 - (c) Examination of a degree, up to two days per year; or
 - (d) Marriage in immediate family as defined in c. above, up to one day per year.
- (6) Cumulative Leave. Employees shall be granted three days leave without stating a reason. The request should be submitted to the Superintendent or his/her designee three school days prior to the date on which the requested leave is to begin. The number shall be limited to five percent of the eligible employees on any given day. These days shall not be granted immediately before or immediately after a long weekend, holiday or vacation unless the days are being used for religious observance. If unused, these days shall accumulate as sick leave at the end of the school year.

c. Vacation

- (1) Eligibility for Paid Vacation. Vacation eligibility shall be based on the duration of employment in the district expressed in full school years worked as of July 1 each year.

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- (2) Earned Vacation and Specific Positions. Other positions shall earn vacation as listed in the Human Resources office.
- (3) Vacation Scheduling. Vacation times shall be scheduled to coordinate with the work schedule of the district and shall be subject to the approval of the immediate supervisor and the Superintendent of Schools.
- (4) Accrual and Carry-over. Earned and unused vacation days may be accumulated and carried over for subsequent use, but in no event shall the amount of such carry-over exceed twenty-five days at any time. Accumulated vacation in excess of said amount shall be lost without recourse, and each employee shall be responsible for making informed decisions regarding his/her use of vacation leave so as to avoid such a result. If an employee with earned and unused or accumulated vacation terminates his/her employment for any reason, the amount of pay covering such vacation leave shall be paid to the employee or his/her estate.

For all non-represented employees, unearned vacation shall not be advanced, except for good cause.

- d. Holidays. All non-represented employees are entitled to a total of thirteen holidays consistent with the school calendar. School Psychologists, Interpreters for the Deaf, Technology Trainers and Athletic Trainers, will receive holidays consistent with the school calendar. Substitute Callers and Bus Drivers/Bus Attendants are not eligible for holidays. In the event it is necessary for a non-represented employee to work on any of the holidays regularly listed in the school calendar, the employee will be entitled to a day of vacation in compensation for the day worked.
- e. Sick Leave. Non-represented employees are entitled to one paid sick day for each month worked. All sick days not used shall be accumulative. The Superintendent may require a medical examination or a physician's certificate in the case of sick leave claimed.

The Board shall comply with applicable provisions of State and Federal law for eligible employees requesting family leave pursuant to such laws.

If a non-represented employee should suffer an extended illness and has exhausted all current and accumulated sick leave, he or she may request additional sick leave. Such request shall be considered by the Board of Education on a case-by-case basis.

When a non-represented employee retires from active service in accordance with the Teacher Pension and Annuity Fund or Public Employees Retirement Commission requirements and has accumulated ten or more years continuous service as an employee of the Hopewell Valley Regional School District, the Board of Education will reimburse the employee for unused sick days as follows:

- (1) To be eligible, the employee must have accumulated a minimum of fifty days of unused sick leave.
- (2) Unused sick days credited from service in another district shall be excluded from the calculation of eligibility and benefit amount.
- (3) The rate of reimbursement for each day of accumulated unused sick leave shall be equal to twenty-five percent of the employee's individual daily rate, calculated as the salary paid during the twelve months immediately preceding retirement divided by 240.
- (4) The maximum amount of reimbursement for each employee shall be equal to the daily rate of reimbursement multiplied by the actual number of accumulated unused sick leave days or by 120, whichever is less.

A non-represented employee with ten or more years of continuous service in the district who dies before his/her contract is completed shall have payment for unused sick days paid to his/her estate pursuant to the provisions in the previous paragraph.

- f. Insurance Plans. Employees covered by this policy, who work twenty hours or more per week are eligible to participate in plans for group health, prescription, dental, and optical insurance on the terms and conditions established and approved by the Board on an annual basis.

g. Miscellaneous Benefit Provisions.

- (1) Payroll Schedule. Salary checks will be issued on the fifteenth and last day of the month, unless the fifteenth or the last day falls on a Saturday, Sunday or holiday, in which case the checks will be issued on the preceding school day. Employees covered by this policy have the option of having direct deposit of their checks to the bank of their choice.
- (2) Annuity Plans. The Board Secretary will make deductions from salary for those employees desiring participation in the tax-sheltered annuity programs administered by the New Jersey Division of Pensions or any tax-sheltered annuity programs approved by the Board of Education for any employee group, upon authorization by the employee. This procedure is intended solely as a convenience for the employee and implies no liability for the Board of Education beyond the proper performance of the deductions.
- (3) Tax-Qualified Salary Reduction Plans. Employees covered by this policy will be eligible to participate in a tax-qualified salary reduction plan, under the terms of which each employee may, by affirmative election, choose to apply cash compensation to fund an individual medical expense spending account and/or a dependent care spending account.
- (4) Credit Union. The Board Secretary will make deductions from the salary for those employees desiring participation in the Mercer County Credit Union. This procedure is intended solely as a convenience for the employees and implies no liability for the Board beyond the proper performance of the deductions.
- (5) Proration. Compensation, sick time, and vacation time shall be pro-rated for non-represented employees who work less than twelve months or less than full time.
- (6) Termination. Non-represented employees shall be notified at least two weeks or in accord with individual contracts in advance of any change or elimination of his/her position.

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5. Resignation. Employees who are resigning from their position shall give the normal two weeks notice or in accord with individual contracts whichever is longer. Earned vacation shall be paid to an employee with at least one year of continuous service in the district according to the proportion of full months worked to the total contract year, if proper notification is given.
6. Mileage & Expenses. The Board of Education will reimburse all employees for authorized expenses and mileage incurred for use of their personal auto for official school business at the prevailing rate in the district as established by the Board of Education.
7. Professional Development. The advancement of the educational institution through the development of professional staff in a manner that results in enhanced professional practices for the entire district is of great importance.
 - a. Professional Development Plan. On or before July 30th of each school year, each non-represented employee, when required by the Superintendent, shall submit to the Superintendent a proposed program of professional development for the following school year, and as may be pertinent, for subsequent school years. The plan shall identify the professional development activities the member wishes to participate in, the extent to which the proposed activities satisfy regulatory mandates for continuing licensure or certification and any evaluative or Professional Improvement Plan requirements, the manner in which the proposed activities serve the interests of the district's programs, how such activities are integrated with the member's anticipated professional assignments, an explanation of the member's time commitment to the activities, and approximate dates and times of attendance if known. The plan may include any elements reasonably related to professional development including attendance at courses of instruction approved for graduate or undergraduate credit at institutions of higher learning, other courses approved for professional development credit by competent regulatory authority, district offered professional development courses, programs or other activity in professional or erudite societies, publications, and reasonably related travel. The plan shall specify the anticipated expenses associated with each element and activity, and the extent to which contractual stipends for curriculum development, and external grants, scholarships or fellowships may be available to support or supplement the proposed activities.

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- b. Plan Review/Acceptance. Expenditures of funds authorized under this policy will be first directed toward satisfaction of regulatory and evaluative professional development requirements in a reasonable and timely manner, and any additional approved expenditure must be reasonably related to identified elements of the district's mission, goals or program objectives. Non-represented employees engaging in a formal course of study leading to the grant of a Master's Degree in a field relevant to the employees present or anticipated instructional assignments in the district satisfy this policy. Accordingly, within a reasonable time after receipt, the Superintendent shall review each proposed plan against these standards and communicate to each non-represented employee acceptance of plans meeting such standards, and any qualifications, limitations or suggestions for revision of plans not meeting such standards.

- c. Expenses for Professional Development.
 - (1) All expenses reimbursed shall be supported by signed vouchers with accompanying receipts, in accordance with existing business practice.

 - (2) Tuition reimbursement for courses at institutions of higher education is subject to prior approval of the Superintendent of Schools and the attainment of a grade of "B" or higher for all credit courses.