

# POLICY GUIDE

TEACHING STAFF MEMBERS

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Employment of Teaching Staff Members

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## **3125 EMPLOYMENT OF TEACHING STAFF MEMBERS**

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

In accordance with the provisions of N.J.S.A. 18A:27-4.1, the Board shall appoint, transfer, remove, or renew a certificated or non-certificated officer or employee only upon the recommendation of the Superintendent of Schools and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. The Board shall approve the employment, fix the compensation, and establish the term of employment for every teaching staff member employed by this district.

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.

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 rate of pay. The Superintendent or designee shall select substitutes from the list approved by the Board to serve in the place of an absent teaching staff member.

The Board may use a private contractor to secure a substitute teacher in accordance with N.J.A.C. 6A:9 et seq.

The Board shall approve the employment, fix the compensation, and set the term of employment for each person employed in a summer school program. The Board will employ only those candidates recommended by the Superintendent. Service as a summer school teacher will not count toward the accrual of tenure or seniority.



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## TEACHING STAFF MEMBERS

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### Employment of Teaching Staff Members

The Superintendent shall recommend to the Board the employment of qualified coaches for the district's interscholastic and/or 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 students.

Any teaching staff member in the employ of the Board of Education shall be permitted to organize public school students for purposes of coaching or for conducting games, events, or contests in physical education or athletics. In accordance with the provisions of N.J.A.C. 6A:9-5.18(b), the Superintendent may recommend to the Board the employment of a qualified candidate for an interscholastic athletic coaching position who is a holder of either a New Jersey teaching certificate or a substitute credential, pursuant to N.J.A.C. 6A:9-6.5, to work in the interscholastic athletic program provided the position has been advertised. The twenty day limitation noted in N.J.A.C. 6A:9-6.5(b) shall not apply to coaching situations.

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 and 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:26-2.4 and 18A:26-2.5.

The Board of Education shall not employ for pay or contract for the paid services of any teaching staff member or any other person serving in a position which involves regular contact with students unless the Board has first determined, consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq., 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.

An individual employed by the Board in any substitute capacity or position shall be required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1b.



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## TEACHING STAFF MEMBERS

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### Employment of Teaching Staff Members

An individual, except as provided in N.J.S.A. 18A:6-7.1g, shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for any crime or offense as defined in N.J.S.A. 18A:6-7.1 et seq.

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 record check if the Board or contracted service provider 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 history record check is not completed for an emergent hired employee within three months, the Board or contracted service provider 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 performed unless the applicant shall have furnished written consent to such a check. The applicant shall bear the cost for the criminal history record 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 record check.

The Board of Education prohibits any relative of a Board member or Superintendent of Schools from being employed in an office or position in the school district in accordance with the provisions of N.J.A.C. 6A:23A-6.2 and Board Policy 0142.1 – Nepotism.

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.

N.J.S.A. 18A:6-5; 18A:6-6; 18A:6-7.1; 18A:6-7.1b; 18A:6-7.1c; 18A:6-7.2;  
18A:16-1 et seq.; 18A:26-1 et seq.; 18A:27.1 et seq.; 18A:27-4.1;  
18A:27-7; 18A:27-8

N.J.A.C. 6A:9-5.18; 6A:9-5.19

**Second Reading: 15 May 2014**



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## 3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

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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.

The Superintendent may appoint a person to fill a sudden vacancy, subject to ratification of that action by the Board at the next Board meeting, and may appoint substitute teachers in accordance with this policy.

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,



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must undergo a criminal history background check at the time of transfer to the new position.

Designated individuals who provide volunteer services are subject to this criminal history record information requirement. The volunteer will be reimbursed for any expense of the background check. 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.

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.



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## Substitute Teachers

The Superintendent shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program through an independent contractor, Source4Teachers.

Source4Teachers will abide by all State statutes regarding certification and be responsible to recruiting, training, and placing qualified substitute teachers in accordance with the contract established between the Board of Education and Source4Teachers.

Substitute teachers must hold an appropriate New Jersey Teaching Certificate or a Substitute Teacher Certificate issued by the County Office of Education and shall have submitted all required documentation to Source4Teachers. Persons employed as aides or persons service as student teachers may not perform as substitutes for professional employees unless they meet these certification requirements. Source4Teachers will abide by all State statutes regarding certification and criminal history background statutes.

Substitute teachers are to work temporarily on a day to day basis in the place of an absent teacher. Any such substitute employee shall be entitled only to the per diem wages as offered by Source4Teachers.

Annually, the district shall contract with an employee or an answering service, to act as the liaison for the district and independent contractor (Source4Teachers).

Building Principals shall evaluate the performance of substitute teachers or cause their performance to be evaluated by the other administrators or supervisors. The evaluations may be based upon classroom observations and the degree to which the regular classroom teacher's plans and instructions have been followed. A Principal may request removal of a substitute teacher from the list of satisfactory substitutes to serve a given school upon presentation of appropriate documentation to the Superintendent and Source4Teachers.

The Superintendent may suspend a substitute from further service pending a recommendation to the Board and Source4Teachers to terminate the services of that substitute. Annual evaluation reports on substitute teachers shall be filed with the Assistant Superintendent by Principals on or before May 30 of each school year.

Substitute professional personnel shall be compensated on a per diem basis in accordance to the agreement between the substitute teacher and Source4Teachers.

A substitute teacher is expected to work all phases of the absent teacher's schedule including duty periods. Although the maximum pupil contact time for teachers normally is six periods, each substitute teacher may be required to serve seven periods, at the discretion of the Principal.



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In general, all full period assignments are considered to be pupil contact periods. Examples might include, but not be limited to, hall monitoring, study hall supervision, cafeteria supervision, telephone squad, detention or suspension room supervision, attendance office assignments (clerical and other) and any class period.

In cases where the absent teacher has fewer than six pupil contact periods, or in cases where a school administrator has reason to alter a schedule, the substitute teacher can be assigned classes or other assignments for a teacher other than the absent teacher for whom the substitute is serving.

The reporting and leaving times of substitute personnel shall be designated by the school Principal or his/her designee. Substitute teachers shall report to the designated school office at the end of their assigned schedule for additional assignments. If further assignment is not needed, a substitute teacher may be excused for the day at the end of the initially assigned pupil and duty schedule upon completion of required daily reports.

## 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



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~~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.~~

~~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 Athletic Director. 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~~

~~Adopted: 9 April 2009~~

