

## EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

### 3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

#### **M**

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

The Education Director in consultation with the Hiring Committee shall recruit, screen, and recommend to the Board suitable candidates for school employment. The Board shall approve the employment, fix the compensation, and establish the term of employment for every teaching staff member employed by this school. Approval shall be given only to those candidates for employment recommended by the Education Director.

The Education Director 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 Education Director 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 school, 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 school or contract service provider through which the person to be employed made application for employment.



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Individuals who provide volunteer services are not subject to this criminal history record information requirement. 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 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 school 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 Trustees. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the school 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 school 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 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 Education Director 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 Education Director 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 Assistant Education Director. A substitute may not plan or direct an instructional program except as expressly permitted by the Education Director.

### Summer School Teachers

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

### Athletic Coaches

The Board authorizes the Education Director to recommend the employment of qualified coaches for the school 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 Education Director shall advertise a vacancy in a coaching position by posting notice of the vacancy in this school and by simultaneously advertising the vacancy by appropriate means throughout the region. The Education Director may thereafter recommend to the Board the employment of any qualified candidate for the coaching



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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 Education Director may recommend to the Board a candidate who is the holder of a county substitute's certificate, provided the Education Director demonstrates to the County Superintendent the vacant coaching position has been advertised and no qualified applicant based on the written school standards for the position has applied. The Education Director 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 school who is not a regular employee of this school 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 school employee in the same position and shall be supervised by the Education Director. No out-of-school athletic coach shall be eligible for tenure or for employment benefits.

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: 18 August 2011

