

SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD SCHOOL DISTRICT

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 that it is vital to the successful operation of the district that teaching staff member positions ~~created by the Board~~ be filled with highly qualified and competent ~~teaching staff members~~ professionals.

In accordance with the provisions of N.J.S.A. 18A:27-4.1, the board shall appoint, transfer, renew, or remove, 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 Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. 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. ~~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.

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.

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.

- 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.

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- 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.S.A. 18A:54-20 [vocational districts]

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

~~The Superintendent may appoint a person to fill a vacancy due to an emergency, 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 one will be permitted to teach without certification.— In order to qualify for a teaching staff member position a candidate must:~~

- ~~1.— Possess a standard certificate issued by the New Jersey State Board of Examiners with an endorsement appropriate to the position he or she is to fill; or—~~
- ~~2.— Have qualified and applied for such a certificate and possess a county substitute certificate or—~~
- ~~3.— If applying for employment as Principal by an alternate route, qualify for the provisional certificate for admission to the Principal Residency Program; or—~~
- ~~4.— If applying for his or her first teaching position, possess a Certificate of Eligibility or Certificate of Eligibility with Advanced Standing for issuance of a provisional instructional certificate, or have filed for such a certificate and possess a county substitute certificate; or~~
- ~~5.— In the event extenuating circumstances prevent the Board from recruiting a suitable certified candidate in those endorsement areas permitted by State Board rules, possess an emergency certificate appropriately endorsed.— However, when certification is pending, a county substitute certificate will be required.—~~

~~The Superintendent shall require visual 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.— Individuals who provide volunteer services 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.—~~

~~Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check only 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.—~~

~~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 requested unless the applicant provided written consent to the check.~~

~~The Board may employ relatives of Board members provided the member of the Board involved does not participate in any way in the discussion or vote.~~

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

~~All new employees will be required, 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.~~

Part-Time Teaching Staff Members

~~A "part time teaching staff member" is a member employed less than full time.~~

~~Part time teaching staff members will be compensated on the salary schedule negotiated for full time teaching staff members, prorated to their part time service depending on the position.~~

~~Part time teaching staff members will receive employment benefits as determined by the Superintendent or the collective bargaining agreement.~~

~~The Board recognizes that part time teaching staff members who serve the statutory probationary period will earn the protections of tenure and seniority.~~

Substitute Teachers

~~The Board will employ substitutes for absent teachers in order to insure continuity in the instructional program and will annually approve a list of substitutes, and the positions in which each is permitted to serve and may approve additional substitutes during the school year.~~

~~The Board directs the chief school administrator to:~~

- ~~1. Maintain a master list of available, certified substitute teachers, pursuant to regulations;~~
- ~~2. Provide an orientation program for substitute teachers at the school site to better prepare them to meet pupil needs and to fulfill teaching responsibilities assigned within the school district;~~
- ~~3. Encourage the development and use of long range lesson plans for each class to insure the availability of appropriate instructional program guidelines for substitute teachers.~~

~~Per diem substitute teachers will not participate in the medical coverage plans or other fringe benefits of the school district.~~

~~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 teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted, the instructions of the Principal.~~

~~Substitutes may be hired for a short term or long term period.~~

Short Term Substitution

~~Short term substitution is employment in a teaching position from 1 to 100 days. Short term substitute teachers shall be compensated at a per diem wage established annually by the Board. The per diem wage will be based upon the individual's certification and degree status. The per diem wage will change for those substitutes who continue in the same position according to the following schedule. For the purpose of calculating the rate of pay for continued service in the same position, the length of service shall be broken down into three categories: (a) 1-20 days; (b) 21-40 days; and (c) 41-100 days. A short term substitute is not eligible for any other benefits. Substitutes who do not hold a standard instructional certificate must have a break in service every twenty (20) days for a least one (1) day, but shall remain eligible for the increase in rate of pay if returning to the same position.~~

Long Term Substitution

~~Long term substitution is employment in the same assignment for 101 days and beyond. Long term substitutes who do not hold a standard teaching certificate shall be compensated at the long term per diem rate established annually by the Board, retroactive to the first day of the long term assignment, and will receive no other benefits. Long term substitutes who hold standard teaching certificates shall be approved by the Board as Leave Replacement Teachers; as such they will be placed on the teacher's salary guide, and enrolled in health benefits.~~

~~Service as a substitute 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.~~

~~An athletic coach whose duties include the athletic training of pupil athletes will be designated an athletic trainer and must be appropriately certified.~~

~~The Superintendent shall advertise vacancies for coaching assignments by posting notice~~

~~of the vacancy in this school district. 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 that no qualified, fully certified candidate applies for the coaching position, the Superintendent may recommend to the Board a candidate who is the holder of a county substitute's certificate, provided that the Superintendent has demonstrated to the County Superintendent that the vacant coaching position has been advertised and no qualified, fully certified candidate has applied for the position; the Superintendent has attested in writing to the County Superintendent the prospective employee's knowledge and experience in the sport; and the County Superintendent has approved the employment of the candidate.~~

~~An athletic coach employed under a county substitute's certificate shall be employed for a single designated sports season, and is not necessarily limited to twenty (20) consecutive days of service.~~

~~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 or she shall be paid the stipend that would be paid to a district employee in the same position and shall be supervised by the Director of Athletics and/or Director of Health and Physical Education. The position of athletic coach is not tenurable, and no employment benefits shall be provided to employees filling only a coaching position.~~

~~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; 18A27-4; 18A:54-20
N.J.A.C. 6:11-3.1; 6:11-4.2 et seq.; 6:11-5.1 et seq.~~

Cross References: 0142, 3370, 4125

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