

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

SUPPORT STAFF MEMBERS

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4125/Employment of Support Staff Members
(M)

4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS

The Board of Education believes that it is vital to the successful operation of the district that support staff positions created by the Board be filled with highly qualified and competent ~~employees~~ 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 support staff member employed by this district.

The Board will employ substitutes for absent support staff members in order to ensure continuity in a 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 support staff member.

The Board may use a private contractor to secure a substitute support staff member.

The Board of Education shall not employ for pay or contract for the paid services of any support 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 or a school bus contractor holding a contract with the Board, in the capacity of a school bus driver, shall be required to meet the criminal history record requirements as outlined in N.J.S.A. 18A:39-19.1.

The Board will employ paraprofessional school aides and/or classroom aides to assist in the supervision of student activities under the direction of a Principal, teacher, or other designated certified professional personnel. Aides will serve the needs of students by performing nonprofessional duties and may work only under the direct supervision of a teaching staff member(s).

In accordance with the requirements of No Child Left Behind Act of 2001, paraprofessionals hired after January 8, 2002, who work in a program supported with Title I, Part A funds, with certain exceptions, must meet one of the following criteria:

1. Completed at least two years of study at an institution of higher education;

2. Obtained an associate's (or higher) degree; or
3. Met a rigorous standard of quality and be able to demonstrate, through a formal State or local academic assessment, knowledge of and the ability to assist in instructing, reading, writing, and mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness).

Paraprofessional staff working in a Title I school, and whose salary is paid for in whole or in part with Title I funds, must have met one of the criteria listed above by the end of the 2005-2006 school year. The Superintendent will ensure paraprofessionals working in a program supported with Title I funds meet the above stated requirements.

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 the 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 support 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; 18A:39-19.1

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

~~Upon the Superintendent's recommendation, the Board shall approve the employment, fix the compensation, and establish the term of employment for every support staff member employed by this district.~~

~~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 for the districts at which the substitute was employed within one year of the approval for 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 contract 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 applicant shall bear the cost for check.~~

~~The responsible administrator(s) shall seek candidates for employment who possess the attributes of good character, appreciation of children, good health, and emotional maturity. They may administer such screening tests as may bear upon a candidate's ability to perform the tasks for which he or she is being considered with or without reasonable accommodation, and review such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Application records will be retained in confidence and for official use only.~~

~~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.~~

~~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.~~

~~An employee'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.~~

Bus Drivers

~~In order to qualify for employment as a regular or substitute school bus driver a candidate must be a reliable person of good moral character, physically fit, have a minimum of three years' previous driving experience, and possess a valid commercial driver's license approved by the New Jersey Department of Law and Public Safety, Division of Motor Vehicles that is neither suspended nor revoked.~~

~~The Board and any contractor providing transportation services to the Board will annually submit to the New Jersey Department of Education, prior to the assignment of any driver, the following information regarding each driver and substitute driver employed by this Board or by any contractor supplying transportation services to this Board:~~

- ~~1. The driver's name and social security number;~~
- ~~2. Certification of the driver's possession of a valid commercial driver's license; and~~
- ~~3. Certification that the driver has qualified for employment after a criminal background check.~~

~~Prior to employment as a bus driver, and upon application for renewal of a school bus driver's license, a bus driver shall submit to the Commissioner of Education his/her name, address and fingerprints taken by a State or municipal law enforcement agency. No criminal history record check shall be furnished unless the applicant provides written consent to the check. The Commissioner shall notify the applicant, in writing, of the applicant's qualification or disqualification as a school bus driver. A school bus driver shall be disqualified from employment or service if the individual's check reveals a record of conviction for crimes and offenses as prescribed in N.J.S.A. 18A:39-19.1. The Board shall also be notified of a disqualification.~~

~~Any bus driver who fails to comply with the requirements of this policy will be subject to discipline and may be dismissed.~~

Aides

~~The Board, in its discretion, may employ aides to assist teaching staff members in the discharge of their professional responsibilities. Aides will serve the needs of pupils by performing nonprofessional duties and may work only under the direct supervision of teaching staff members.~~

~~Aides must be high school graduates, be in good health, and be mature persons of good character who work well with children. Wherever possible, aides should have experience in education.~~

~~The Superintendent shall submit to the County Superintendent for his or her approval, job descriptions and employment standards for all aide positions. In addition, the Superintendent shall annually submit to the County Superintendent the names of persons employed as aides and a statement certifying that these persons meet the approved qualifications.~~

Part-time Employees

~~A "part-time support staff member" is a person employed for less than full-time.~~

~~The Board may employ part time support staff members as district needs require. Part time employment shall be for periods and hours specified in the Board's resolution of employment.~~

Substitutes

~~The Board may employ substitutes for absent support staff members as necessary to insure continuity in the operation of the school district. The Board shall annually approve a list of support staff substitutes and the positions in which each is permitted to serve and may approve additional substitutes during the school year.~~

~~N.J.S.A. 18A:6-5 et seq.; 18A: 6-7.1 et seq.; 18A:16-1; 18A:17-41; 18A:39-17 et seq. 18A: 39-18; 18A:39-19.1; 18A:54-20 (vocational districts)
N.J.A.C. 6:11-4.6; 6:21-11.1~~

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