

# POLICY

## Board of Education

### Bernards Township

File Code: M 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.

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 the 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.

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; 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
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.

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 under the direction and supervision of a teaching staff member are not subject to the criminal history record information requirement. Individuals who provide services on an unpaid voluntary basis that involve regular contact with pupils and/or which would generally be performed by a certified staff member will require a criminal history record check and at a minimum, must possess a New Jersey substitute teacher certification.

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To the extent an applicant for a volunteer position requiring a substitute certificate and criminal history check does not meet this criteria at the time of application, the applicant shall secure said certificate and criminal history check. In such a case, upon attainment of the New Jersey substitute teacher certificate, successfully passing the criminal history record check and appointment as a volunteer to the district, the cost of the criminal history check for an unpaid volunteer shall be reimbursed to the applicant by the Board of Education. 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; 18A:6-7.2.

Substitute employees upon initial employment are required to undergo a criminal history record check. Substitute employees who are rehired annually by the Board do not need an additional criminal history check provided there was no break in service during the substitute's previous annual employment.

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.

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, 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.

### **Part-time Teaching Staff Members**

A "part-time teaching staff member" is a member employed less than full-time. "Full-time" is employment for a full school day and a full school week.

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.

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Part-time teaching staff members will receive employment benefits in accordance with the provisions of the appropriate laws and the negotiated 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 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 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. Except in cases of extenuating circumstances, substitute teachers will not be assigned to teach in elementary schools which their children attend.

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. A substitute may not plan or direct an instructional program except as expressly permitted by the Superintendent or designee.

Short term substitute teachers shall be compensated by a per diem wage established annually by the Board and will receive no other benefits.

Service as a substitute will not count toward the accrual of tenure or seniority.

### **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.

Service as a summer school teacher will not count toward the accrual of tenure or seniority.

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### 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. 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; his or her employment shall not necessarily be limited to twenty days.

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 Athletic Director. No out-of-district athletic coach shall be eligible for tenure or for employment benefits.

N.J.S.A. 18A:6-5 et seq.; 18A:1-7.1 et seq.;  
18A:6-7.2; 18A:16-1; 18A:26-1 et seq.; 18A:27-1, 27-4;  
N.J.S.A. 18A:54-20 [Vocational districts]  
N.J.A.C. 6:8 3.2; 6:11-3.1;  
6:11-4.2 et seq., 11-5.1 et seq.; 6:29-3.3

**ADOPTED:** March 24, 2008