

### 4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS (M)

#### **M**

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

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 support staff member employed by this district. Approval shall be given only to those candidates for employment recommended by the Superintendent.

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

Individuals who provide volunteer services and crossing guards, not employed or contracted by the district, 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 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.

School bus drivers to be employed by the district must submit to a criminal history background check upon initial employment within the district and upon renewal of their school bus driver endorsement.

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.

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/she is being considered 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.

### Nepotism

The Board of Education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not appoint a member of the immediate family of a Board member, nor of a central administrator, or any employment position in this district, and



directs that no person who is a member of the immediate family of a Board member or central administrator shall be placed in nomination for any vacant position. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any member of his/her family.

Persons who are employees of the Board on the date that this policy becomes effective shall not be discharged because of this policy, nor shall they be denied re-employment in succeeding years because of it. However, if any person, who is a member of the immediate family of a Board member or an administrator, resigns or is not re-employed for other reasons (except reduction in force), this policy would deny re-employment for such period as the individual has such a family relationship.

For the purpose of this policy, immediate family shall be defined as grandparent, parent, spouse, child, grandchild, or sibling, whether by blood or marriage. Central administrator is the Superintendent, Director of Curriculum and Instruction, and School Business Administrator/Board Secretary.

A Board member or administrator who has such relationship with any employee of the district as of the effective date of this policy shall declare such relationship immediately.

A Board member should not vote on any action of the Board which will directly affect a member of his/her immediate family, unless requested to do so by a majority of the members of the Board of Education, and only after full disclosure of relationship has been made.

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.

An employee'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.

### 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 bus 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 County Superintendent, 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 school bus 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 provided 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/Paraprofessionals

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

1. Completed at least two years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree; or



### Employment Of Support Staff Members (M)

3. Met a rigorous standard of quality and can demonstrate, through formal State or local academic assessment:
  - a. Knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
  - b. Knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness as appropriate.

Paraprofessionals hired before January 8, 2002 and working in a program supported with Title I funds are required to satisfy the above stated requirements not later than four years after the date of January 8, 2002. A district that is implementing a School-wide Program must comply with all the requirements outlined above and a district that has a Target Assistance Program must ensure that all paraprofessionals paid in whole or part with Title I funds meet the requirements outlined above. The Superintendent will ensure paraprofessionals working in a program supported with Title I funds meet the above stated requirements.

The Superintendent shall submit a job description for each type of aide to be employed in the district, setting forth the duties to be performed, the types of proficiency needed, the qualifications to be required, and the arrangement for the supervision of aides to the County Superintendent for approval. In addition, the Superintendent shall annually submit to the County Superintendent the names of persons employed as aides, a statement certifying that these persons meet the approved qualifications and the positions are being supervised in accordance with approved plan for the use of school and/or classroom aides.

#### Substitutes

The Board will employ substitutes for absent support staff members as necessary to ensure 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 et seq.;  
18A:17-41; 18A:27-4.1; 18A:39-17 et seq.

N.J.A.C. 6A:9-7.1; 6A:27-12.1

No Child Left Behind Act of 2001 – Section 1119(c)

Adopted: May 26, 2009

