

# BLOOMSBURG AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: EMPLOYMENT OF  
PROFESSIONAL EMPLOYEES

ADOPTED: 18 April 2011

REVISED: 7 December 2015

	<p style="text-align: center;">404. EMPLOYMENT OF PROFESSIONAL EMPLOYEES</p> <p>1. Purpose The Board places substantial responsibility for the educational program and effective operation of the schools with the professional staff employed by the district.</p> <p>2. Authority SC 508, 1106, 1142, 1146 SC 1111 The Board, by a majority vote of all members, shall approve the employment; set the compensation; and establish the term of employment for each professional staff member employed by the district.</p> <p>No teacher shall be employed who is related to any member of the Board, as defined in statute, unless such teacher receives the affirmative vote of a majority of all members of the Board other than the member related to the applicant, who shall not vote.</p> <p>3. Guidelines Approval shall normally be given to those candidates for employment recommended by the Superintendent.</p> <p>When any recommended candidate has been rejected by the Board, the Superintendent shall make a substitute recommendation.</p> <p>SC 1204.1 The district shall use the Pennsylvania Standard Application For Teaching Positions but may establish and implement other application requirements.</p> <p>SC 111 23 Pa. CSA 6301 No candidate shall be employed until such candidate has submitted the following state-mandated documentation under Act 126 of 2013, Act 153 of 2014, and Act 168 of 2014 including but not limited to: current, original Pennsylvania State Police Criminal Record Check; current FBI Clearance Registration Number; current, original Child Abuse Clearance; current tuberculosis test results; PDE-6004 Arrest or Conviction Form; Sexual Misconduct/Abuse Disclosure Release(s); and a current Mandated Reporter Training Certificate. If the candidate does not have a Mandated Reporter Training Certificate, he/she must complete and submit proof of completion of this training within 90 days of his/her hire date.</p> <p>Any employee's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board.</p>
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<p>SC 1201</p> <p>42 U.S.C. Sec. 653a</p> <p>4. Delegation of Responsibility SC 1109 P.L.88-352 P.L.92-318</p> <p>Title 11 Sec. 403.2, 403.4 20 U.S.C. Sec. 6319</p> <p>SC 1109</p>	<p>Utilization of professional employees prior to employment approval by the Board is authorized when necessary to maintain continuity in the educational program. Retroactive employment shall be recommended to the Board by the Superintendent at the next regular meeting.</p> <p>No candidate for professional employment shall receive recommendation for such employment without evidence of his/her certification.</p> <p>As required by law, the district shall submit a New Hire Report for each employee.</p> <p>The Superintendent or designee shall develop procedures for the recruitment, screening and recommendation of candidates for employment in accordance with Board policy, and State and federal law.</p> <p><u>Teachers</u></p> <p>All teachers shall be highly qualified, as defined by federal law and regulations.</p> <p>The Superintendent or designee shall develop procedures for the recruitment, screening and recommendation of candidates for employment as professionals, in accordance with Board policy and state and federal law and regulations.</p> <p>Candidates shall be recommended on the basis of references, as well as demonstration lessons or other appropriate activities.</p> <p>The Superintendent or designee shall seek candidates of good moral character who possess the following attributes:</p> <ol style="list-style-type: none"> <li>1. Successful educational training and experience.</li> <li>2. Scholarship and intellectual prowess, including such measures as collegiate grade point average and NTE/PRAXIS scores.</li> <li>3. Appreciation of children.</li> <li>4. Emotional and mental maturity.</li> </ol> <p>The Superintendent or designee shall, in the conduct of recruiting activities seek candidates from this state and surrounding states. He/she also will seek applicants who have graduated from a variety of public and private institutions of higher</p>
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<p>Pol. 424</p>	<p>learning.</p> <p>The Superintendent's office will be responsible for posting and advertising position vacancies in accordance with the district's non-discrimination policy.</p> <p>Each new and replacement position will be posted at least three weeks prior to the date the position is to be filled, except in emergency situations.</p> <p>Posting notices will be placed in the office of each building.</p> <p>Staff vacancies shall be made known to district personnel so that they may apply for and be considered for such positions.</p> <p>The Superintendent may apply such screening procedures as may be necessary to determine the candidate's ability to perform the tasks for which the candidate is being considered. Screening procedures for the finalists for each professional position shall include performance-based activities conducted and evaluated by interview team members. Such activities may include:</p> <ul style="list-style-type: none"><li>- Preparation of a lesson plan;</li><li>- Presentation of a mini-lesson;</li><li>- Reaction to case studies in such areas as interpersonal relations, inclusion, or other specific topics;</li><li>- Analysis of test results;</li><li>- Demonstration of computer knowledge;</li><li>- Written response to prompts;</li><li>- Others deemed appropriate for the position.</li></ul> <p>The Superintendent or designee may apply necessary screening procedures to determine the candidate's ability to perform the tasks for which the candidate is being considered.</p> <p>The Superintendent or designee shall seek recommendations from former employers and others to assess the candidate's qualifications.</p> <p>Recommendations and references shall be retained confidentially and for official use only.</p> <p>Each professional staff member employed by the district shall responsible for maintaining a valid teaching certificate.</p> <p>All applications will be directed to the Superintendent's office where they will be logged, screened for completeness and acknowledged.</p> <p>Unsolicited applications will be kept in an active file for one year for reference should an appropriate positions become open.</p>
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Applications for posted or advertised positions will be made available to appropriate administrative staff. Applications of persons not selected for interviews will be promptly returned to the files.

Interviews of the most qualified applicants will be conducted by a team of at least three individuals, including the immediate supervisor and other administrative and professional staff members.

Members of the interview team must divulge any instance involving the interviewing of relatives, in addition to those who may be in conflict with Policy #309.

No person will be recommended to the Board for employment who has not been personally interviewed.

Each person who is interviewed will be notified in writing or by phone by the Superintendent's office when the position has been filled.

Each person selected by the Board will be notified in writing by the Superintendent's office, and will be required to agree to the position title, salary, and duration of employment.

Employment forms and materials will be given to each new employee by personnel from the Superintendent's office. Orientation material will be provided by this office and the new employee's immediate supervisor.

Staff vacancies, which represent opportunities for professional advancement or diversification, shall be made known to district personnel so they may apply for such positions.

The Superintendent shall annually present to the Board no later than at its regular meeting in June the number of professional and temporary professional employees required for the educational program.

The employment of a professional staff member is not official until the contract is approved by the Board and signed by the candidate.

The following employment sequence shall be utilized:

1. All documentation shall be on file prior to any employment offer.
2. The verbal offer of employment to the candidate by the administration.
3. Verbal acceptance by the candidate.

<p>School Code 1106, 1142, 1146, 1111, 111</p>	<ol style="list-style-type: none"><li>4. Approval of candidate by official Board action.</li><li>5. Contract sent to the candidate.</li><li>6. Candidate will signify acceptance by returning a signed contract to the Superintendent within ten (10) days following receipt of the contract by the candidate.</li><li>7. When contract is returned signed by the applicant, the President and Board Secretary shall then make the contract official by their signatures.</li></ol> <p><u>RESPONSIBILITIES OF STAFF/Conditions of Employment</u></p> <p>It is the individual staff member's responsibility to secure and maintain the appropriate certification or certifications (to include the necessary credits required to secure or maintain same) within the time limits provided by law for any position which requires certification(s) to enable the staff member to continue the position in which he/she is engaged or assigned. Evidence of appropriate certification must be submitted to the Superintendent by August 15<sup>th</sup>.</p> <p>The district will monitor certification for the sole purpose of ensuring compliance with the School Code. The district assumes no responsibility whatsoever to the staff in this connection, but is available to assist the staff regarding procedures upon the specific request of any staff member.</p> <p>It is the individual staff member's responsibility and at their own expense to provide the following state-mandated documentation: 1) Pennsylvania State Police Criminal Record Check; FBI Clearance Registration Number; and Child Abuse Clearance renewable every five years from the date of the clearances; 2) Sexual Misconduct/Abuse Disclosure Release(s); and 3) a current Mandated Reporter Training Certificate renewable every five years. If the candidate does not have a Mandated Reporter Training Certificate, he/she must complete and submit proof of completion of this training within 90 days of his/her hire date.</p> <p><u>PROCEDURES.</u></p> <p>Upon discovery of invalid certification of a person already employed or in situations where a lapse in certificates may be suspected, the district will notify the employee that she/he must present a valid certificate to the Administrative Assistant in the Office of the Superintendent for inspection, approval and insertion into that person's file immediately. At the same time, the district shall request an "official review" from the Department of Education of the employee's certificate status.</p> <p>If valid certification is not produced, or the requested documentation is not</p>
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produced, the employee may immediately without further act be suspended without pay until the matter is resolved. Where available, the Superintendent may consider attempting to reassign the suspended employee to a vacant position consistent with any alternative valid certification that the employee may possess.

In the event of a citation and imposition of a financial penalty against the district imposed by the Department of Education or the Auditor General by reason of the employees failure to timely secure appropriate certification, or to maintain certification or the proper or sufficient credits for same, that employee shall be required to reimburse the district in full for any audit citation to include fines, subsidy penalties, etc. Reimbursement arrangements are to be made through the Business Office. No suspended employee shall be reinstated and/or reappointed to the original position or reassigned to another position if available, without first having made reimbursement arrangements satisfactory to the district.

Nothing herein shall preclude the district from taking appropriate disciplinary action up to and including dismissal against any employee who fails to fulfill his/her responsibilities relative to maintaining a current and valid teacher/professional certificate.

The Principal of a school providing Title I programs to students shall annually attest that professional staff teaching in such programs are highly qualified, in accordance with federal and state law and regulations. The written certification shall be maintained in the district office and the school office and shall be available to the public, upon request.

Upon discovery of lapsed clearances and/or mandated reporter training of a person already employed or in situations where a lapse in clearances and/or mandated reporter training may be suspected, the district will notify the employee that she/he must present valid clearances and/or mandated reporter training certificate to the Administrative Assistant in the Office of the Superintendent for inspection, approval and insertion into that person's file immediately. As pertaining to lapsed clearances and/or mandated reporter training, progressive discipline procedures shall be followed as described below:

- 1) Verbal warning.
- 2) Written letter of reprimand
- 3) Suspension without pay
- 4) Dismissal

<p>Sec. 403.4 20 U.S.C. Sec. 6319</p>	<p>References:</p> <p>School Code – 111, 508, 1106, 1109, 1109.1, 1109.2, 1111, 1142, 1146-1152, 1201, 1204.1</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 8.1 et seq., 49.81-49.85, 49.101-49.105, 403.2, 403.4</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.</p> <p>No Child Left Behind – 20 U.S.C. Sec. 6319</p> <p>Federal Anti-Discrimination and Civil Rights Laws –</p> <p>    20 U.S.C. Sec. 1681 et seq. (Title IX)</p> <p>    42 U.S.C. Sec. 2000e et seq. (Title VII)</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Board Policy – 104 Act 126 of 2013 Act 153 of 2014 Act 168 of 2014</p>
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