

**Policy**

RECRUITMENT, SELECTION AND HIRING

The board believes that the quality of the professional staff in large part determines the quality of the education offered district pupils. Therefore, the chief school administrator shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of district pupils.

Provisional teaching candidates shall be given equal consideration with all other candidates for teaching positions. The chief school administrator shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

All teachers hired by the board for programs in the district supported with Title I, part A funds shall be highly qualified, as defined by federal law. All teachers of core academic subjects (English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history and government) hired by the board shall be highly qualified.

It shall be the duty of the chief school administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

The chief school administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job.

The chief school administrator shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The chief school administrator in determining the candidates to be nominated shall seek information whenever possible from the candidate's prior employers.

The board shall affirm employment and initial placement on the salary guide by a recorded roll call majority vote of the full membership of the board.

The board shall appoint all staff members only from nominations made by the chief school administrator. Should a nominee be rejected, it shall be the duty of the chief school administrator to make other nominations.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act

**Policy**

NONDISCRIMINATION/AFFIRMATIVE ACTION

The board of education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The board of education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow. All such determinations shall be reported to the board.

Sexual Harassment

The board of education shall maintain a working environment that is free from sexual harassment. Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by nonsupervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

"Whistleblower" Protection

The board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board; or
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the "Conscientious Employee Protection Act."

Report on Implementation

The chief school administrator shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Affirmative Action, Nondiscrimination, Employee Nondiscrimination/Affirmative Action, Domestic Partnership Act

Policy

---

CERTIFICATION

The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. All personnel hired shall have proper certification as required by the state board of education. The CSA will take appropriate steps to avoid employment of teachers with revoked or suspended certificates.

Validity of certification must be verified with the county office.

The chief school administrator must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the board.

Provisionally Certified Teachers

The board of education encourages the employment of provisionally certified teachers for service in their first and second years of employment. The building principal or other appropriately certified administrator shall observe and evaluate all provisionally certified teachers in the first year of employment in conformance with the schedule described in the administrative code.

Mentoring Novice Teachers

In order to enhance student achievement of the Core Curriculum Content Standards by enhancing the skills of inexperienced teachers, identifying exemplary teaching skills and practices necessary for excellent teaching and assist novice teachers in adjusting to the challenges of teaching, the board shall ensure the development of a mentoring plan for all novice teachers employed in the district.

The plan shall provide each novice teacher with in-person contact with a mentor teacher (who may be a retired teacher or administrator) who shall provide confidential support and guidance to the novice teacher. The plan shall be developed by the local Professional Development Committee, approved by the board, and aligned with the professional standards for teachers as set forth in administrative code. Included in the plan shall be criteria for selection and training of mentor teachers. Implementation of the district mentor plan shall be in compliance with the administrative code and included in the Quality Assurance Annual Report.

The board shall annually submit a report with required data to the State Department of Education on the effectiveness of the local mentoring plan. State funds appropriated for the novice teacher mentoring program shall be applied in accordance with law and code.

Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Certificates, Certification

**Policy**

EMPLOYEE HEALTH

Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those physical exam elements listed in administrative code.

Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the chief school administrator on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the board has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the board, the board shall bear the expense. Should an employee prefer to see his/her own physician, with board approval, the employee shall bear the expense.

Occupational Containment of Bloodborne Pathogens

The board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and
- C. The schedule and method for implementing the specific sections of the standard, including:

EMPLOYEE HEALTH (continued)

1. Methods of compliance;
2. Hepatitis B vaccination;
3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The chief school administrator in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations.

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Physical Examinations, Health Examinations, Employee Physicals, Nondiscrimination, Psychological Examinations, Bloodborne Pathogens

Policy

PERSONNEL RECORDS

Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The board of education recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those that must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The chief school administrator shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The chief school administrator and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the chief school administrator shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

The chief school administrator shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The chief school administrator shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
  - 1. At any time, by the chief school administrator or the supervisory personnel he/she designates;
  - 2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
  - 3. During regular business hours, or at any meeting of the board or any committee thereof, by any member of the board when necessary to make an informed decision regarding any assigned board responsibility or duty.
- C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the chief school administrator shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medial record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.

PERSONNEL RECORDS (continued)

- D. Staff emergency contact cards for all employees shall be maintained by the chief school administrator and updated annually.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Records, Personnel Records, Employee Records



**Policy**

---

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 family member of a board member or of an administrator to any employment position in this district, and directs that no person who is a member of the family of a board member or 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. The chief school administrator shall not recommend to the board any relative of a board member or of the chief school administrator. Further, no school district administrator shall supervise, or exercise authority on personnel actions regarding a relative of the administrator.

As an exception to this policy, persons who are employees of the board on the date that this policy becomes effective or the date a relative becomes a board member or administrator shall not be prohibited from continuing to be employed in the person's current position, or, in the case of a reduction in force, in any position to which that person has a legal entitlement. The district may seek approval from the executive county superintendent to promote such existing employee where he promotion is justified by the needs of the district to ensure implementation of the Core Curriculum Content Standards, and upon a demonstration that the existing employee is the most qualified candidate for the position after full advertising and interviewing has occurred.

When a board member or school administrator's spouse, child, parent, or sibling is a member of the bargaining unit, That board member or school administrator shall not discuss the proposed collective bargaining agreement with that unit not participate in any way in negotiations including, but not limited to, being a member of the negotiating team. Nor shall that board or school administrator be present with the board in closed session when negotiation strategies are being discussed. However a school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

When a member of a board member's or school administrator's immediate family is a member of the same statewide union with which the board is negotiating, that board member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, being a member of the negotiating team, prior to the board's attaining a tentative memorandum of agreement with the bargaining unit, including salary guides and/or the total package of money to be offered. Once such tentative memorandum of agreement is established, the board member or school administrator may fully participate in the process, including board member voting, absent other conflicts. Prior to that time, the board member or school administrator shall not be present with the board in closed session when negotiation strategies are being discussed. However, a school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

For the purpose of this policy, "relative" shall be defined as an individual's spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or the individual's spouse, civil union partner or domestic partner, by blood, marriage or adoption.

"Immediate family" shall be defined as board member or school administrator, their spouse, civil union partner, domestic partner, or dependent child living in the household, whether related by blood, marriage or adoption.

A school official who has such relationship with any employee of the district as of the effective date of this policy shall declare such relationship immediately.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Nepotism, Hiring Relatives, Relatives

X   Monitored

  X   Mandated

  X   Other Reasons

**Policy**

---

ASSIGNMENT; TRANSFER

The chief school administrator shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory, administrative and support personnel are subject to assignment and transfer after recommendation of the chief school administrator and approval by the board of education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law. Disciplinary transfers are prohibited. Particular attention shall be paid to ensuring to the extent possible that there shall be equivalence of teachers and administrative staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated (see 2224, 4111 and 4111.1).

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Personnel Assignment, Personnel Transfer, Assignment and Transfer, Assignment, Transfer

Policy

---

SUPERVISION

The board acknowledges that the purpose of supervision is to improve teacher performance in the classroom so that all students have an opportunity to achieve the Core Curriculum Content Standards.

Each teacher employed in this district as of the effective date specified in code shall be responsible for fulfilling requirements for continuing education and for making annual progress toward the goal of 100 clock hours of state-approved professional development every five years. Each teacher's professional improvement plan (PIP) shall incorporate appropriate steps toward this goal and shall be designed to assist teachers in obtaining and maintaining the knowledge and skills essential to student achievement of the state's Core Curriculum Content Standards. The professional improvement plan shall describe specific activities designed to provide guidance for that teacher in improving his/her performance. Such activities may include, but are not limited to, seminars, course work, day-long workshops, and classes on certain instructional approaches. Although supervisors shall develop professional improvement plans in collaboration with teachers, the chief school administrator shall maintain final authority in determining their appropriate content.

Supervisory assistance and support in achieving the 100 clock hours of state-approved continuing education shall be offered in the context of the district's evaluation process, negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

The chief school administrator shall develop procedures for supervision of the teaching and administrative staff in performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations. The supervisor shall note the teacher's satisfactory fulfillment or non-fulfillment of continuing education requirements identified in the professional improvement plan.

This policy shall be distributed to each teaching staff member at the beginning of his/her employment.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Continuing Education, Professional Improvement Plans, Personnel Supervision, Supervision

EVALUATION

The board of education believes that the effective evaluation of teaching staff is essential to the achievement of the educational goals of this district, including student achievement of the Core Curriculum Content Standards. The purpose of this evaluation shall be to promote professional excellence and improve the skills of teaching staff members; improve pupil learning and growth; and provide a basis for the review of staff performance.

The board encourages a positive working environment in which the professional growth that results from staff participation in the evaluation process is considered of major importance. Therefore, the administration shall develop evaluation instruments flexible enough to identify the needs, strengths, and improvement objectives of each staff member.

The chief school administrator shall develop, in consultation with teaching staff members, job descriptions for each teaching staff member position and evaluation criteria for said positions based directly upon the job description. The job description shall be concise, stating major responsibilities as briefly as possible. All job descriptions shall be presented to the board for approval.

All teaching staff members shall be evaluated against criteria that evolve logically from the instructional priorities and program objectives of each staff member as specified in the job description for his/her position.

Criteria must include but need not be limited to consideration of pupil progress; instructional skills; subject knowledge; professional conduct and growth; human relations skills; classroom management skills. These criteria shall also apply to requirements for continuing education and shall be incorporated into each teacher's professional development plan. The individual professional improvement plans shall be aligned to professional development standards for teachers.

Tenured teaching staff members shall be observed and evaluated at least once each year by properly certified persons. Nontenured teaching staff members shall be observed and evaluated at least three times each year by properly certified district staff.

The evaluation procedures shall provide continuous, constructive, cooperative interaction and communication between the teaching staff member and his/her supervisor/evaluator, thus ensuring a valid basis for performance review. All procedures for the evaluation of teaching staff members shall be in compliance with law and regulation.

All evaluative procedures shall include review of each teacher's progress toward achievement of the state-required goal of 100 clock hours of professional development every five years. Evaluative procedures shall recognize that the purpose of this goal is to assist teaching staff in obtaining and maintaining the knowledge and skills essential to student achievement of the state's Core Curriculum Content Standards. In any instance where an individual teacher fails to make annual progress toward meeting the 100-hour requirement, or where a professional fails to satisfy the requirement fully within the five-year period, the district administration shall take appropriate remedial action, applying sound and accepted principles of progressive supervision as well as by using existing laws and rules to the fullest extent.

EVALUATION (continued)

The district administration shall recognize each teacher's fulfillment of the continuing education requirement. For evaluative purposes, a teacher has fulfilled his/her professional improvement plan when his/her students have demonstrated satisfactory progress toward achievement of the curriculum standards, as well as the educational goals of this district.

At the end of the first five-year cycle, the district administration shall annually report all instances of noncompliance and actions taken to address them to the State Department of Education. The board of education shall cooperate with the County Professional Development Board and the county superintendent in evaluating its program and progress toward goals.

The chief school administrator shall provide each teaching staff member with a copy of this policy statement, his/her job description, and his/her evaluation criteria annually by October 1, and shall distribute any amendments to those documents within 10 working days of their becoming effective. Evaluations shall be completed before April 30 in compliance with law.

The chief school administrator shall report at least annually on the effectiveness of the evaluation system and shall recommend means to improve it whenever desirable.

The chief school administrator shall, in the implementation of this policy, develop procedures in consultation with teaching staff members for:

- A. The collection and reporting of data that are appropriate to the job description and minimally include the observation of classroom instruction;
- B. Observation conferences between the teaching staff member and the supervisor; the preparation of a written evaluation for each of the three observations of nontenured staff members; and an evaluation for each observation of a tenured staff member;
- C. The preparation of individual professional improvement plans that include specific guidance to the teacher on activities that would contribute to his/her obtaining and maintaining the knowledge and skills essential to student achievement of the state's core curriculum standards;
- D. The preparation by the supervisor of an annual written performance report which shall include the annual evaluation of the teacher, an individual professional improvement plan developed by the staff member and the supervisor, and a summary of the results of the formal and informal assessment of his/her pupils along with a statement of how these indicators relate to the effectiveness of the overall program and the performance of the staff member;
- E. The conduct of the annual summary conference;
- F. The signing of the annual written performance report by the properly certified supervisor/evaluator and the staff member.

All such procedures shall conform to law.

This policy and related procedures shall be reviewed at least yearly, and any necessary revisions made before readoption by the board.

EVALUATION (continued)

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Evaluation, Teacher Evaluation, Personnel Evaluation

Policy

---

REDUCTION IN FORCE/ABOLISHING A POSITION

The board of education has the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are nontenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The chief school administrator shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the board for action.

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

RIF, Reduction in Force, Abolishing a Position, Nontenured Teachers



**Policy**

---

NONRENEWAL

The board shall renew the employment contract of a nontenured teaching staff member by a recorded roll call majority vote of the full board only upon the recommendation of the chief school administrator. A nontenured teaching staff member who is not recommended for renewal by the chief school administrator shall be deemed nonrenewed. Written notice of nonrenewal of employment will be sent to the employee by the board secretary. This notice will be given by the date specified by law.

A written request from a nontenured teaching staff member for a written statement of reasons for nonreemployment will be honored by the board of education.

An informal appearance before the board may be requested in writing within 10 calendar days and shall be scheduled within 30 days of receipt of the board's statement of reasons.

It is the board of education's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the board of education to offer reemployment. Written notice of date and time will be provided to the staff member at least five days prior to the informal appearance.

The nontenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the board of education and will be excused from the hearing after making their statements.

Within three days following the informal appearance, the board of education or its designee will notify the teaching staff member, in writing, of the board's final decision.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Nonrenewal, Nontenured Teachers

**Policy**

---

CONFLICT OF INTEREST

An employee of the board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of his/her duties.

An employee of the board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the board shall not accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to the full extent of the law.

Political Activities of Staff

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, board issue, or collective bargaining issue.

Disciplinary Action

Violations of this policy may result in disciplinary action.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Royalties, Conflict of Interest, Political Activity of Staff

Policy

---

CONDUCT AND DRESS

The board of education expects staff conduct to be that of appropriate role models for pupils.

The board expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall, when assigned to district duty:

- A. Be physically clean, neat and well groomed;
- B. Dress in a manner reflecting their assignments;
- C. Dress in a manner that does not cause damage to district property;
- D. Dress and be groomed in such a way so as not to cause a health or safety hazard or be disruptive to or have an adverse effect upon the educational process.

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the chief school administrator.

Unbecoming Conduct

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the board upon recommendation of the chief school administrator and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant board review may result from a single flagrant incident or from a series of incidents.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Employee Conduct, Employee Dress

Policy

EMPLOYEE SUBSTANCE ABUSE

General - All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of education.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The board of education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The chief school administrator shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The (board of education) (chief school administrator) shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

EMPLOYEE SUBSTANCE ABUSE (continued)

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises

Policy

---

CREATING A POSITION

The Board recognizes the need to establish positions which, when filled by competent, qualified staff, will assist the district in achieving the educational goals set by the Board.

The Board reserves the right to:

- a. Create new positions and provide each with a job description clearly descriptive of the duties for which the position was created and provide each with a title that conforms with the appropriate certificate insofar as possible:
- b. Specify the number of persons within each job category.

In the exercise of its authority to create new positions, the Board shall give primary consideration to the number of students enrolled.

If the situation arises in creating a new position wherein an unrecognized title is used, application for approval of the title is to be submitted to the county superintendent of schools. Plans for the position are not to be made final until approval for the title is received.

Policy

SUBSTITUTE TEACHERS

The chief school administrator shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program.

The board shall approve potential substitute personnel and the positions in which they may substitute. The employment of a substitute teacher prior to approval by the board is authorized only when such employment is required to maintain continuity in the educational program. Retroactive approval shall be asked from the board at the next regular meeting.

Teacher substitutes must have at least a valid substitute teaching credential issued by the county superintendent, and preferably hold a degree.

Any substitute teacher shall be entitled only to the wages approved by the board on a per diem basis, and to no other benefits. Substitutes will be paid a greater rate, as set by the board, following 10 days and 20 days in the district.

A substitute employee for 60 days or more for a teacher on leave for a specified period of time will be placed on the first step of the Bachelors guide (pro-rated) and will be eligible for fringe benefits and will be considered to be regularly employed until the teacher returns from the leave.

Persons employed as aides may not perform as substitutes for professional employees unless they are board-approved substitute teachers.

The chief school administrator shall recruit, screen and recommend to the board candidates for employment as instructional substitutes. He/she shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and recommend the retention on the board's approved substitute list of those substitutes who have performed their duties satisfactorily.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Substitute Teachers

Policy

---

STUDENT TEACHERS/INTERNS

The board encourages the chief school administrator to cooperate with colleges and universities in the placement of student teachers/administrative interns in the district's schools. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform the necessary training and supervision.

The chief school administrator shall recommend and the board approve the selection and placement of student teachers and administrative interns. Student teachers/interns shall comply with the requirements of law regarding health examinations and criminal history checks.

The supervising teacher and principal shall be responsible for the conduct of student teachers while serving in the schools of this district. The chief school administrator shall be responsible for administrative interns.

Student teachers/interns shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

The chief school administrator shall endeavor to ensure the equitable distribution of student teachers/interns throughout the district.

No remuneration will be provided to student teachers or administrative interns.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Student Teachers, Administrative Interns



Policy

CLASSROOM AIDES (PARAPROFESSIONALS)

The board, within its financial means, may hire aides (paraprofessionals) as recommended by the chief school administrator.

It is the responsibility of the classroom teacher to plan for any teacher aide's (paraprofessional's) constructive involvement with the class. The primary benefit must be to the pupils.

Classroom aides (paraprofessionals) shall be under the supervision of the classroom teacher.

All aide (paraprofessional) job descriptions must be approved by the county superintendent. All aides (paraprofessionals) shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

***In accordance with federal law, the chief school administrator shall establish procedures to release information, upon request, regarding the qualifications of classroom aides (paraprofessionals) to parents/guardians for any classroom aide (paraprofessional) who is employed by a school receiving Title I funds and who provides instructional assistance to their children.***

Qualification of classroom aides (paraprofessionals) in Title I schools

All classroom aides (paraprofessionals) paid in whole or in part with Title 1 funds shall be qualified in accord with federal law. All such paraprofessional (classroom aides) must have a high school diploma or its equivalent. All such classroom aides (paraprofessionals), except those working as translators or solely in conducting parent involvement activities, also must meet one of the following criteria:

- A. Completed at least two years of study at an institution of higher education;
- B. Obtained an associate's (or higher) degree; or
- C. Passed a formal state or local assessment demonstrating ability to assist in instructing reading, writing and mathematics or reading readiness, writing readiness and mathematics readiness, as appropriate.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Aides; Classroom Aides; Teacher Aides; Background Check; Paraprofessionals; Personnel Background Check

X  Monitored  
 X  Mandated  
 X  Other Reasons

Policy

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The board of education recognizes its legal obligation to provide inservice activities to further the ability of the teaching staff to progress toward achievement of district goals and objectives. It is of particular concern to the board that continuing education for teaching staff provide demonstrable contributions toward student achievement of the Core Curriculum Content Standards.

The chief school administrator shall develop a comprehensive management system for staff professional improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings.

To be in compliance with state requirements, each teacher employed in this district as of the effective date specified in code shall complete 100 clock hours of state-approved continuing professional development and/or inservice every five years. Appropriate steps toward achieving this goal shall be included in the content of each teaching staff member's annual professional improvement plan. It is the individual teacher's responsibility in accordance with district policies, to assure that a teacher meets the professional development requirement. There is no mandated financial obligation on the part of the district.

The 100-hour requirement may be satisfied through a combination of state-approved experiences including: formal courses and conferences sponsored by colleges, district boards of education, professional associations, training organizations or other entities recommended by the Professional Teaching Standards Board and approved by the Commissioner of Education. Part or all of the 100-hour requirement may be satisfied through an inservice program that has been approved by the County Professional Development Board under standards established by the Commissioner based on the recommendation of the Professional Teaching Standards Board. Completion of each actual hour of approved training shall satisfy the requirement for one hour of continuing education.

In accordance with administrative code, the board shall establish a Professional Development Committee in order to assess inservice needs and professional development opportunities and to plan and implement professional development programs to assure that the students of this district achieve the Core Curriculum Content Standards. This committee shall be comprised of four teachers, elected by the instructional staff through its majority representative and two administrative staff appointed by the chief school administrator. The committee shall include the chief school administrator as an ex officio member and shall solicit input from parents, community members and local business leaders. Plans developed by the committee shall be submitted for approval to the County Professional Development Board and then to the board of education. The board of education reserves the right to deny any plan that fails to advance district goals and objectives; is not conducive to student achievement of the Core Curriculum Content Standards; or contravenes current negotiated agreements, other board policies, student safety and well-being, continuity of the instructional program, or budgetary constraints.

Staff participation that may require released time and/or financial reimbursement from the board will be determined by the board of education after recommendation by the chief school administrator.

Staff members who participate in out-of-district programs at board expense shall submit a written report highlighting the main thrust and ideas observed by the participant.

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

Mandated Inservice Programs

The chief school administrator shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law. These required presentations, seminars and/or workshops shall not count automatically toward the required 100 clock hours of continuing education every five years.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Staff Development, Professional Inservice, Visitations, Conferences, Continuing Education

**Policy**

---

NONSCHOOL EMPLOYMENT

School employees shall not engage in outside activities or perform any services other than those assigned by the district during the hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Nonschool Employment; Employee Outside Activities

Policy

---

PRIVATE TUTORING

The board recognizes that the discharge of its responsibility to provide a thorough and efficient system of education for each child in the district may require special help for some pupils beyond the regular classroom program. Tutorial instruction shall be interpreted to mean individualized instruction additional to, and in support of, regular classroom instruction.

Wherever possible within the working day, each teaching staff member shall assist assigned pupils in the remediation of individual learning difficulties.

In certain cases where extra help is desirable and the parents/guardians request such assistance, a teacher or administrator may recommend that the parents/guardians secure tutorial services for the pupil.

To avoid placing a teacher in a position where he/she may have a conflict of interest, teachers shall not tutor, for a fee, pupils enrolled in their classes or upon whose evaluation or assignment they may be called upon to pass. Nor shall any employee of the board make a commitment to perform services for extra pay when he/she has been instrumental in recommending the need for those services.

Teachers shall not tutor any pupil for pay during regular working hours.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Tutoring, Conflict of Interest

X  Monitored  
    Mandated  
 X  Other Reasons

Policy

EMPLOYEE SAFETY

Through its overall safety program, the board of education shall seek to ensure the safety of employees during working hours.

The board shall be diligent in maintaining safe working conditions for employees. It shall provide an Exposure Control Plan for the occupational containment of bloodborne pathogens as described in file code 4112.4 Employee health. The board shall also provide information on possible hazardous substances in the workplace, in accordance with law.

The board shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting or shifting of heavy weights.

Employees shall report all accidents to their supervisor immediately.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Insurance Management, Accidents, Employee Safety

Policy

---

ATTENDANCE PATTERNS

The board of education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The chief school administrator shall develop and the board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illnesses and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

The chief school administrator shall report on staff attendance and punctuality at every regular monthly board meeting.

Provisions shall be made for public acknowledgment of outstanding staff attendance records.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Employee Attendance, Attendance Patterns, Attendance

Policy

PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

**Suspending an employee for reasons of health**

It is the policy of the board to protect the school children of this district from the influence of unfit teachers. The board reserves the right to place an employee on sick leave or retire an employee for physical or mental disability to perform assigned duties.

In case of a professional staff member who, in the opinion of the chief school administrator, is unfit to teach in the district or in any public school of the state by reason of physical or mental condition, the following procedures shall be followed:

1. The chief school administrator shall present to the board the grounds for questioning the physical or mental condition of the employee.
2. When the board determines that the grounds given constitute sufficient cause to order an examination of the employee, it shall give written notice, in ordinary and concise language, of their finding of sufficiency, a full statement of the grounds, and an opportunity to appear before the board within 10 days to explain or refute the grounds.
3. When an employee requests a hearing, it shall be conducted in accordance with the following rules:
  - a. the employee may be represented by counsel or an individual of the employee's own choice;
  - b. the employee may present witnesses on his/her behalf;
  - c. witnesses need not present testimony under oath and will not be subject to cross-examination;
  - d. witnesses will be called individually and excused after making their statements;
  - e. the hearing will be privately held.

The board does not consider a hearing for reasons of health to be an adversary hearing, rather the staff is provided an opportunity to convince the board that is made an incorrect determination by requesting said examination. The board shall notify the employee in writing of the outcome of the hearing.

4. When an employee fails to so persuade the board or fails to request an appearance before the board within the time allowed, the board shall order the employee to submit to an appropriate examination by a physician designated and recompensed by the board.
5. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on sick leave with such compensation to which he/she is entitled until proof of recovery, satisfactory to the board, is furnished.
6. Should an employee refuse to submit to the examination requested by the board and the employee has exercised his/her rights under the provisions herein above set forth, such refusal shall subject the employee to disciplinary action which action may include the preferring of formal charges before the Commissioner of Education.



PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP (continued)***Anticipated Disability***

1. An employee shall notify his/her supervisor of the anticipated disability as soon as he/she is under medical supervision for the condition and a date is projected for the anticipated disability.
2. The employee shall present to his/her supervisor a written statement by his/her physician of the employee's physical capacity to perform duties assigned.
3. When, notwithstanding such certification of fitness the performance of an employee anticipating a disability has substantially declined from the performance demonstrated by said employee at the time immediately prior to the time when notification was given of the condition, or when said employee has been absent more than three (3) consecutive days or a total of four (4) days in any one school month, the employee shall then be required to submit a physician's statement stating the he/she is physically fit to continue to perform the duties assigned.
4. The district need not assume that an employee's statement or his/her physician's statement establishes fitness conclusively, but may require a review and examination by the school physician or a physician selected by the district. In the event the physician of the employee shall be of a contrary opinion to that of the physician selected by the district, then the school physician and the employee's physician shall agree upon an impartial physician whose medial opinion shall be conclusive and binding on the issue of medical capacity to continue in the performance of duties.
5. It, as a result of such examination, the employee is found to be fit to perform assigned duties, he/she may do so or request a leave of absence.
6. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave with such compensation to which he/she is entitled under the sick leave policies of this board until proof of recovery satisfactory to the board is furnished.
7. Refusal to submit certification of fitness as required by this policy shall be considered by the board as grounds for dismissal.
8. Any employee may request disability leave of absence to commence before the board requires that he/she leave to extend beyond the period of absence required by the board following disability. Such request shall be accompanied by a written statement of the employee's physician certifying that he/she is unable to perform the duties of his/her position. Such disability leave shall be subject to the policies of this board for sick leave.
9. Any employee may request leave of absence to commence before the board requires that he/she leave or to extend beyond the period of absence required by the board following disability. Such request shall be subject to the board's policy on leave of absence, and the leave, when granted, shall be without pay if disability does then occur.

Policy

RECRUITMENT, SELECTION AND HIRING

The board of education shall appoint all staff members only from nominations made by the chief school administrator. All appointments shall be by recorded roll call majority vote of the full membership of the board. The chief school administrator shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nationality, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job.
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency.
- C. It shall be the duty of the chief school administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The chief school administrator is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of education and signed by the candidate. It shall be the responsibility of the chief school administrator to communicate this fact to all candidates.

The chief school administrator may make temporary appointments in emergency situations in accordance with law. These must be ratified by the board at the next regular meeting.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act

NONDISCRIMINATION/AFFIRMATIVE ACTION

The board of education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The board of education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow. All such determination shall be reported to the board.

Sexual Harassment

The board of education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by nonsupervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

"Whistleblower" Protection

The board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board; or
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the "Conscientious Employee Protection Act."

Report on Implementation

The chief school administrator shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Affirmative Action, Nondiscrimination, Employee Nondiscrimination/Affirmative Action, Domestic Partnership Act

Policy

EMPLOYEE HEALTH

Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those listed in administrative code. Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the chief school administrator on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the board has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the board, the board shall bear the expense. Should an employee prefer to see his/her own physician, with board approval, the employee shall bear the expense.

Occupational Containment of Bloodborne Pathogens

The board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and

EMPLOYEE HEALTH (continued)

C. The schedule and method for implementing the specific sections of the standard, including:

1. Methods of compliance;
2. Hepatitis B vaccination;
3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The chief school administrator in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of the requirements for health examinations.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Physical Examinations, Health Examinations, Employee Physicals, Nondiscrimination, Psychological Examinations, Bloodborne Pathogens

PERSONNEL RECORDS

Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The board of education recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The chief school administrator shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The chief school administrator and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the chief school administrator shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

The chief school administrator shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The chief school administrator shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
  - 1. At any time, by the chief school administrator or the supervisory personnel he/she designates;
  - 2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
  - 3. During regular business hours, or at any meeting of the board or any committee thereof, by any member of the board when necessary to make an informed decision regarding any assigned board responsibility or duty.
- C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the medical inspector and the chief school administrator shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.

PERSONNEL RECORDS (continued)

- D. Staff emergency contact cards for all employees shall be maintained by the chief school administrator and updated annually.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Records, Personnel Records, Employee Records



**Policy**

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 family member of a board member or of an administrator to any employment position in this district, and directs that no person who is a member of the family of a board member or 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. The chief school administrator shall not recommend to the board any relative of a board member or of the chief school administrator. Further, no school district administrator shall supervise, or exercise authority on personnel actions regarding a relative of the administrator.

As an exception to this policy, persons who are employees of the board on the date that this policy becomes effective or the date a relative becomes a board member or administrator shall not be prohibited from continuing to be employed in the person's current position, or, in the case of a reduction in force, in any position to which that person has a legal entitlement. The district may seek approval from the executive county superintendent to promote such existing employee where he promotion is justified by the needs of the district to ensure implementation of the Core Curriculum Content Standards, and upon a demonstration that the existing employee is the most qualified candidate for the position after full advertising and interviewing has occurred.

When a board member or school administrator's spouse, child, parent, or sibling is a member of the bargaining unit, That board member or school administrator shall not discuss the proposed collective bargaining agreement with that unit not participate in any way in negotiations including, but not limited to, being a member of the negotiating team. Nor shall that board or school administrator be present with the board in closed session when negotiation strategies are being discussed. However a school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

When a member of a board member's or school administrator's immediate family is a member of the same statewide union with which the board is negotiating, that board member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, being a member of the negotiating team, prior to the board's attaining a tentative memorandum of agreement with the bargaining unit, including salary guides and/or the total package of money to be offered. Once such tentative memorandum of agreement is established, the board member or school administrator may fully participate in the process, including board member voting, absent other conflicts. Prior to that time, the board member or school administrator shall not be present with the board in closed session when negotiation strategies are being discussed. However, a school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

For the purpose of this policy, "relative" shall be defined as an individual's spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or the individual's spouse, civil union partner or domestic partner, by blood, marriage or adoption.

"Immediate family" shall be defined as board member or school administrator, their spouse, civil union partner, domestic partner, or dependent child living in the household, whether related by blood, marriage or adoption.

A school official who has such relationship with any employee of the district as of the effective date of this policy shall declare such relationship immediately.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Nepotism, Hiring Relatives, Relatives

Policy

  X   Monitored

  X   Mandated

  X   Other Reasons

---

ASSIGNMENT; TRANSFER

The chief school administrator shall make support staff assignments and transfers in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory, administrative, and support personnel are subject to assignment and transfer after recommendation of the chief school administrator and approval by the board of education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law. Disciplinary transfers are prohibited. Particular attention shall be paid to ensuring to the extent possible that there shall be equivalence of staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated. (See file codes 2224, 4211 and 4211.1.)

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Assignment, Transfer, Assignment and Transfer

**Policy**

---

SUPERVISION

The chief school administrator shall ensure development of procedures for observation and supervision of all employees so that optimum support is provided for the educational program.

Such observation and supervision shall not be limited to that which is required for effective performance evaluation.

This policy shall be distributed to each support staff member at the beginning of his/her employment.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Support Staff Supervision, Supervision

**Policy**

---

EVALUATION

The chief school administrator shall maintain factual personnel records on all support employees and shall direct evaluation procedures.

Before increments for support staff members are approved for succeeding years, administrative and supervisory personnel in the schools shall submit to the chief school administrator a report on the work and attitude of each employee under their jurisdiction.

The employee's supervisor has the responsibility for seeing that each employee knows the basis upon which he/she is to be evaluated in advance of the evaluation.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Evaluation, Personnel Evaluation

**Policy**

---

CONFLICT OF INTEREST

An employee of the board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of his/her duties.

An employee of the board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the board shall not accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to the full extent of the law.

Political Activities of Staff

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, board issue, or collective bargaining issue.

Disciplinary Action

Violations of this policy may result in disciplinary action.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Royalties, Conflict of Interest, Political Activity of Staff

**Policy**

---

CONDUCT AND DRESS

The board of education expects staff conduct to be that of appropriate role models for pupils.

The board expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall, when assigned to district duty:

- A. Be physically clean, neat and well groomed;
- B. Dress in a manner reflecting their assignments;
- C. Dress in a manner that does not cause damage to district property;
- D. Dress and be groomed in such a way so as not to cause a health or safety hazard or be disruptive to or have an adverse effect upon the educational process.

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the chief school administrator.

Unbecoming Conduct

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the board upon recommendation of the chief school administrator and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant board review may result from a single flagrant incident or from a series of incidents.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Employee Conduct, Employee Dress

Policy

<input type="checkbox"/>	Monitored
<input checked="" type="checkbox"/>	Mandated
<input checked="" type="checkbox"/>	Other Reasons

EMPLOYEE SUBSTANCE ABUSE

General - All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of education.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The board of education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The chief school administrator shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys

shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The chief school administrator shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.



EMPLOYEE SUBSTANCE ABUSE (continued)

Drug and Alcohol Testing

The Woodbury Heights School District is committed to the establishment of a drug and alcohol misuse prevention program among school bus drivers that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by employees performing safety-sensitive functions.

In addition to all prohibitions in the first sections of this policy, all employees with commercial drivers' licenses shall be prohibited from:

- A. The use of any controlled substance on or off duty, unless a written prescription from a licensed doctor or osteopath is provided along with a written statement from the doctor or osteopath that the substance does not adversely affect the employee's ability to safely operate a motor vehicle or perform other safety-sensitive functions;
- B. The misuse of alcohol that could affect performance on the job including use on the job, use during the four hours before performing a safety-sensitive function, having prohibited concentrations of alcohol in their systems while performing a safety-sensitive function and use during eight hours following an accident.

"Controlled substance" in this policy refers to those covered by the Omnibus Act, including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered applicants and employees shall be subjected to pre-employment or pre-duty, reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For controlled substances testing, urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required.

Pre-employment testing shall be administered to an applicant offered a position in the district prior to the first time the employee performs any safety-sensitive function for the district. An applicant who tests positive will not be hired for any safety-sensitive position.

Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions which includes just before or just after the employee performs the safety-related function. Controlled substances testing may be performed at anytime while the employee is at work.

An employee covered by the federal regulations may not refuse to take a required test. Consequences for an employee's refusal shall be the same as for a positive result of the test.

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions in accordance with the federal regulations. Before an employee is reinstated, if at all, the employee shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified test results.

The board retains the authority consistent with federal law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the employee's

EMPLOYEE SUBSTANCE ABUSE (continued)

qualifications for and performance of the job.

The district is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. All employment decisions involving reinstatement, termination or dismissal shall be made in accordance with applicable state law, board policies and negotiated agreements.

The district shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the employee's consent, the district may obtain any of the information concerning drug and alcohol testing from the employee's previous employer. An employee shall be entitled upon written request to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.

Records shall be made available to a subsequent employer upon receipt of a written request from an employee, and only on the expressly authorized terms of the employee.

The chief school administrator shall ensure that supervisors receive proper training to administer the drug and alcohol testing program and that employees receive the notifications required by federal regulations.

Transportation contracts approved by the board shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises; Drug Testing; Alcohol Testing

Policy

---

NONINSTRUCTIONAL AIDES

The board, within its financial means, may hire aides as recommended by the chief school administrator.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils.

Lunchroom and playground aides shall be under the supervision of appropriate certified personnel.

All aide job descriptions must be approved by the county superintendent. All noninstructional aides shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Aides, Noninstructional Aides, Background Check, Personnel Background Check

Policy

X  Monitored

X  Mandated

X  Other Reasons

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The board recognizes that the skills required of support staff members change with changing technology. In order to ensure both optimum efficiency in district operations, and the continued growth in expertise of the staff, the chief school administrator shall ensure that appropriate programs of inservice training shall be developed for support staff as necessary.

The chief school administrator may recommend to the board the granting of leave for attendance of personnel at state, regional, and national job-related meetings without pay deduction and with expenses paid by the school system according to established allowances.

Mandated Inservice Programs

The chief school administrator shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Staff Development; Inservice; Visitations; Conferences

Policy

---

NONSCHOOL EMPLOYMENT

School employees shall not engage in outside activities or perform any services for compensation other than those assigned by the district during the hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Nonschool Employment; Employee Outside Activities

Monitored

Mandated

Other Reasons

Policy

---

OVERTIME PAY

It is the intention of the board to comply with state labor laws in the compensation of overtime when such is previously approved and properly worked.

No overtime shall be worked without the prior approval of the chief school administrator. Overtime shall be paid at the rate of one and one half (1 1/2) times regular hourly pay when approved by the chief school administrator for time worked in excess of 40 hours per week. For purposes of computing overtime, credit shall be given for all compensated time off.

Extra time required in the performance of assigned duties may be compensated by equivalent time off or overtime pay at the discretion of the Board of Education.

Policy

---

EMPLOYEE SAFETY

Through its overall safety program, the board of education shall seek to ensure the safety of employees during working hours.

The board shall be diligent in maintaining safe working conditions for employees. It shall provide an Exposure Control Plan for the occupational containment bloodborne pathogens as described in file code 4212.4 Employee health. The board shall also provide information on possible hazardous substances in the workplace, in accordance with law.

The board shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting or shifting of heavy weights.

Employees shall report all accidents to their supervisor immediately.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Insurance Management, Accidents, Employee Safety

Policy

---

ATTENDANCE PATTERNS

The board of education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The chief school administrator shall develop procedures to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illnesses and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

The chief school administrator shall report on staff attendance and punctuality at every regular monthly board meeting.

Provisions shall be made for public acknowledgment of outstanding staff attendance records.

Legal References: Use legal reference sheet.

Cross References: See legal reference sheet.

Key Words

Employee Attendance, Attendance Patterns, Attendance



Policy

PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

**Suspending an employee for reasons of health**

It is the policy of the board to protect the school children of this district from the influence of unfit teachers. The board reserves the right to place an employee on sick leave or retire an employee for physical or mental disability to perform assigned duties.

In case of a professional staff member who, in the opinion of the chief school administrator, is unfit to teach in the district or in any public school of the state by reason of physical or mental condition, the following procedures shall be followed:

4. The chief school administrator shall present to the board the grounds for questioning the physical or mental condition of the employee.
5. When the board determines that the grounds given constitute sufficient cause to order an examination of the employee, it shall give written notice, in ordinary and concise language, of their finding of sufficiency, a full statement of the grounds, and an opportunity to appear before the board within 10 days to explain or refute the grounds.
6. When an employee requests a hearing, it shall be conducted in accordance with the following rules:
  - f. the employee may be represented by counsel or an individual of the employee's own choice;
  - g. the employee may present witnesses on his/her behalf;
  - h. witnesses need not present testimony under oath and will not be subject to cross-examination;
  - i. witnesses will be called individually and excused after making their statements;
  - j. the hearing will be privately held.

The board does not consider a hearing for reasons of health to be an adversary hearing, rather the staff is provided an opportunity to convince the board that is made an incorrect determination by requesting said examination. The board shall notify the employee in writing of the outcome of the hearing.

6. When an employee fails to so persuade the board or fails to request an appearance before the board within the time allowed, the board shall order the employee to submit to an appropriate examination by a physician designated and recompensed by the board.
7. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on sick leave with such compensation to which he/she is entitled until proof of recovery, satisfactory to the board, is furnished.
8. Should an employee refuse to submit to the examination requested by the board and the employee has exercised his/her rights under the provisions herein above set forth, such refusal shall subject the employee to disciplinary action which action may include the preferring of formal charges before the Commissioner of Education.

PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP (continued)***Anticipated Disability***

1. An employee shall notify his/her supervisor of the anticipated disability as soon as he/she is under medical supervision for the condition and a date is projected for the anticipated disability.
2. The employee shall present to his/her supervisor a written statement by his/her physician of the employee's physical capacity to perform duties assigned.
3. When, notwithstanding such certification of fitness the performance of an employee anticipating a disability has substantially declined from the performance demonstrated by said employee at the time immediately prior to the time when notification was given of the condition, or when said employee has been absent more than three (3) consecutive days or a total of four (4) days in any one school month, the employee shall then be required to submit a physician's statement stating the he/she is physically fit to continue to perform the duties assigned.
4. The district need not assume that an employee's statement or his/her physician's statement establishes fitness conclusively, but may require a review and examination by the school physician or a physician selected by the district. In the event the physician of the employee shall be of a contrary opinion to that of the physician selected by the district, then the school physician and the employee's physician shall agree upon an impartial physician whose medical opinion shall be conclusive and binding on the issue of medical capacity to continue in the performance of duties.
5. It, as a result of such examination, the employee is found to be fit to perform assigned duties, he/she may do so or request a leave of absence.
6. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave with such compensation to which he/she is entitled under the sick leave policies of this board until proof of recovery satisfactory to the board is furnished.
7. Refusal to submit certification of fitness as required by this policy shall be considered by the board as grounds for dismissal.
8. Any employee may request disability leave of absence to commence before the board requires that he/she leave to extend beyond the period of absence required by the board following disability. Such request shall be accompanied by a written statement of the employee's physician certifying that he/she is unable to perform the duties of his/her position. Such disability leave shall be subject to the policies of this board for sick leave.
9. Any employee may request leave of absence to commence before the board requires that he/she leave or to extend beyond the period of absence required by the board following disability. Such request shall be subject to the board's policy on leave of absence, and the leave, when granted, shall be without pay if disability does then occur.

Policy

---

LEGAL AND CIVIC DUTIES

Absence from school by reason of a subpoena shall be allowed with pay, provided that a copy of the subpoena is filed with the chief school administrator. If a staff member is a party to a suit, absence from school in that connection shall be without pay, unless the board in its discretion shall determine otherwise.

Jury Duty

The board will insure all members of the staff against loss of pay occasioned by a call to jury duty.

Should a staff member be called for jury duty he/she shall report same to the chief school administrator. Staff called for jury duty shall be permitted to serve and will not be penalized in any way for doing so. They will receive full pay if they endorse the check received from the court or pay the amount shown on their record slip less travel allowance.

While in jury duty, staff members are required to report daily their schedule for the following day and must report to work when excused for half a day or more or suffer loss of pay.

The time spent on jury duty will not be charged against personal leave and will count as time on the job.

Monitored

Mandated

Other Reasons

**Policy**

---

VACATION

The board believes that it is beneficial to the district that non-instructional personnel employed to work twelve months per year be given periodic relief from the responsibilities of their job without loss of compensation.

***Eligibility***

Vacation time will be granted for all non-instructional employees as follows:

- 1 year of employment - 8 days
- 3 years of employment - 10 days
- 5 years of employment - 15 days
- 10 years of employment - 20 days

Vacations must be taken within one year of the time earned and must be approved by the chief school administrator based on the needs of the district. Payment in lieu of vacation is prohibited. Vacation time may not be retroactive.

Any employee who anticipates termination in this district may take accrued vacation prior to the termination date with proper approval as noted, ante. Accrued vacation may be paid to the estate of a deceased employee or to a retiring employee.

