

# EAST STROUDSBURG AREA SCHOOL DISTRICT

SECTION: ~~PROFESSIONAL~~-EMPLOYEESTITLE: EMPLOYMENT OF  
PROFESSIONAL EMPLOYEES

ADOPTED: August 19, 2002

REVISED: March 15, 2004  
November 19, 2007  
June 15, 2015

| <u>404304</u> . EMPLOYMENT OF PROFESSIONAL EMPLOYEES                          |  |
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| 1. Purpose<br>Title 22<br>Sec. 4.4  | The Board places substantial responsibility for the educational program and effective operation of the schools with the professional staff employed by the school district.  |
| 2. Authority<br>SC 508, 1106,<br>1142, 1146<br><br>SC 1111                    | The Board, by a majority vote of all members, shall approve the employment; set the compensation; and establish the term of employment for each professional staff member employed by the school district.<br><br>No teacher shall be employed who is related to any member of the Board, as defined in statute, unless such teacher receives the affirmative vote of a majority of all members of the Board other than the member related to the applicant, who shall not vote.   |
| 3. Guidelines<br><br>SC 1204.1<br><br>SC 111.1<br><br>SC 111<br>23 Pa. C.S.A. | Approval shall normally be given to the candidates for employment <del>chosen by the Board from a group selected</del> <u>recommended</u> by the Superintendent or designee. When any recommended candidate has been rejected by the Board, the Superintendent <u>or designee</u> shall <del>make a substitute recommendation</del> <u>repost the position and the rejected candidate will be notified in writing.</u><br><br>The school district shall use the Standard Application For Teaching Positions but may establish and implement other application requirements.<br><br><u>Pre-Employment Requirements</u><br><br>The district shall conduct an employment history review in compliance with state law prior to issuing an offer of employment to a candidate. Failure to accurately report required information shall subject the candidate to discipline up to, and including, denial of employment or termination if already hired, and may subject the candidate to civil and criminal penalties. The district may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment and may report the information as permitted by law.<br><br>No candidate shall be employed until such candidate has complied with the mandatory background check requirements for criminal history, child abuse, FBI |

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| <p>6344</p>  | <p>Criminal History Check and the school district has evaluated the results of that screening process.</p>   |
| <p>SC 111, 111.1</p>   | <p>Each candidate shall report, on the designated form, arrests and convictions as specified on the form. Candidates shall likewise report arrests and convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment, termination if already hired, and/or criminal prosecution.</p> <p>Any employee's <u>knowing</u> misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board.</p> <p>Utilization of professional employees prior to employment approval by the Board is authorized when necessary to maintain continuity in the educational program. Retroactive employment shall be recommended to the Board at the next regular meeting.</p> |
| <p>SC 1201<br/>24 P.S.<br/>Sec. 2070.2<br/>Title 22<br/>Sec. 49.1 et seq<br/>42 U.S.C.<br/>Sec. 653a</p> | <p>No candidate for professional employment shall receive recommendation for such employment without evidence of his/her certification.</p>  |
| <p>20 U.S.C.<br/>Sec. 6319</p>   | <p><u>Title I Teachers</u></p> <p>All teachers working in a program supported with Title I funds who were hired after January 8, 2002, shall be highly qualified, as defined by federal law and regulations.</p>   |
| <p>Title 22<br/>Sec. 403.4, 403.5<br/>20 U.S.C.<br/>Sec. 6319, 7801</p>                                  | <p>The <del>Director of HR</del><u>principal of a school providing Title I programs to students</u> shall annually attest <u>for all Title I schools</u> that professional staff teaching in such programs are highly qualified and paraprofessionals providing instructional support in such programs meet required qualification, in accordance with federal law and state regulations. The written certifications shall be maintained in the district office <del>and the school office</del> and shall be available to the public, upon request.</p>   |
| <p>4. Delegation of Responsibility<br/>Pol. 104<br/>P.L. 88-352<br/>P.L. 92-318</p>                      | <p>The Superintendent or designee shall develop procedures for the recruitment, screening and recommendation of candidates for employment as professionals, in accordance with Board Policy and state and federal law and regulations.</p> <p>Candidates shall be recommended on the basis of references, interview results, writing samples or other appropriate activities.</p>  |

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| <p>SC 1109</p>   | <p>The Superintendent shall seek candidates of good moral character who possess the following attributes:</p> <ol style="list-style-type: none"><li>1. Successful educational training and experience.</li><li>2. Scholarship and intellectual prowess, including such measures as collegiate grade point average and appropriate standardized test scores.</li><li>3. Appreciation of children.</li><li>4. Emotional and mental maturity.</li></ol> <p>The Superintendent or designee shall, in the conduct of recruiting activities, seek applicants who have graduated from a variety of public and private institutions of higher education.</p> <p>The Superintendent <u>or designee</u> may apply necessary screening procedures to determine the candidate's ability to perform the tasks of the job for which the candidate is being considered.</p> <p>The Superintendent <u>or designee</u> shall seek recommendations from former employers and others to assess the candidate's qualifications. Recommendations and references shall be retained confidentially and for official use only.</p> |
| <p>SC 1201 Title 22<br/>Sec. 49.1 et seq</p> <p><del>—20 U.S.C.<br/>—Sec. 6319</del></p> | <p>Each professional staff member employed by the district shall be responsible for maintaining a valid teaching certificate.</p> <p><del>The principal of a school providing Title I programs to students shall annually attest that professional staff teaching in such programs are highly qualified, in accordance with federal and state law and regulations. The written certification shall be maintained in the school office and shall be available to the public, upon request.</del></p> <p>References:</p> <p>School Code – 111,111.1, 508,1106,1109,1109.1, 1109.2, 1111, 1142, 1146-1152, 1201, 1204.1</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 8.1 et seq., 49.81-49.85, 49.101-49.105, 403.2, 403.4</p> <p>Educator Discipline Act – 24 P.S. Sec. 2070.2</p>   |

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|  | <p>Criminal History Record Information Act – 18 Pa. C.S.A. Sec. 9125</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.</p> <p>No Child Left Behind – 20 U.S.C. Sec. 6319</p> <p>Federal Anti-Discrimination and Civil Rights Laws – 20 U.S.C. Sec. 1681 et seq. (Title IX)</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Board Policy – 000, 104, 113, 328</p> |
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