

Book	Policy Manual
Section	POLICIES FOR THE BOARD, OCTOBER 2022
Title	Copy of EMPLOYMENT OF PROFESSIONAL STAFF
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### 3120 - **EMPLOYMENT OF PROFESSIONAL STAFF**

The School Board recognizes that it is vital to the successful operation of the Corporation that positions created by the Board be filled with **highly** qualified and competent personnel.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated agreement, fix the compensation and establish the term of employment for each professional staff member employed by this Corporation.

Individuals employed in the following categories shall be considered members of the professional staff:

- A. Classroom Teachers
- B. Counselors
- C. Principals
- D. Administrative Assistants – Assistant Principals
- E. Media Specialists
- F. Superintendent
- G. Assistant Superintendent

Such approval shall be given only to those candidates for employment recommended by the Superintendent.

All applications for employment shall be referred to the Superintendent's office.

#### **Anti-Nepotism**

**"Relatives" include: children, stepchildren, siblings, half-siblings, step-siblings, spouse, domestic partner, parents, stepparents, in-laws, or bona fide dependents/living in the same residence of a staff member.**

**Relatives of staff members may be employed by the Corporation, provided the relative being employed is not placed in a position in which the relative would be supervised directly by the staff member.**

#### **Non-Fraternization**

**If Corporation employees in a supervisor-subordinate relationship chose to date, engage in a romantic relationship, or have sexual relations, the employees must notify the Corporation's administration and accept the Corporation's decision to transfer one or both of the employees so that they no longer have a supervisor-subordinate relationship. Anyone employed in a managerial or supervisory role needs to heed the fact that personal relationships with employees who report to them may be perceived as favoritism, misuse of authority, or potentially sexual harassment, and, consequently, are unacceptable.**

Any professional staff member's intentional misstatement of fact or omission material to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

Wherever possible, positions shall be filled by properly-licensed professionals.

No candidate will be considered for employment in the Corporation until a complete application is on file.

No candidate for employment as a professional staff member shall receive recommendation for such employment without having proffered visual evidence of his/her certification or pending application for certification. Such certification must indicate all of the areas in which the candidate has been certified. No deletions are acceptable.

The Superintendent shall prepare administrative guidelines for the recruitment and selection of all professional staff.

## **VOLUNTEER FIREFIGHTERS**

If a staff member is a volunteer firefighter and has notified the **School** Corporation in writing that s/he is a volunteer firefighter, the **School** Corporation may not discipline the staff member for:

- A. being absent from duty by reason of responding to a fire or emergency call that was received prior to the time the staff member was to report to duty;
- B. leaving his/her duty station to respond to a fire or an emergency call if s/he has prior authorization from his/her supervisor to leave duty in response to a call received after s/he has reported to work.

However, when an emergency call is received while the staff member is on duty, the staff member should notify the principal before leaving so coverage for his/her class can be arranged. ~~However, when an emergency call is received while the staff member is on duty, the staff member should notify the principal before leaving so coverage for his/her class can be arranged;~~

- C. an injury or being absent from work because of an injury that occurs while the staff member is engaged in emergency firefighting or other emergency response, provided the staff member's absence from work due to each instance of emergency firefighting activity or other emergency response does not exceed six (6) months from the date of injury. ~~an injury or being absent from work because of an injury that occurs while the staff member is engaged in emergency firefighting or other emergency response, provided the staff member's absence from work due to each instance of emergency firefighting activity or other emergency response does not exceed six (6) months from the date of injury.~~

The Corporation may require that the staff member present a written statement from the officer in charge of the volunteer fire department at the time of the absence indicating the staff member was engaged in an emergency call at the time of his/her absence.

The Corporation may require that the staff member who was injured while engaged in emergency firefighting or other emergency response provide evidence from a physician or other medical authority showing treatment for the injury at the time of his/her absence and a connection between the injury and the employee's emergency response activities. Any such evidence shall be retained in a separate medical file created for the staff member and treated as a confidential medical record.

## **REQUIREMENTS FOR TITLE I TEACHERS**

All teachers newly hired for a Title I supported program must be "highly qualified."

"Highly Qualified" means:

- A. full State certification as a teacher or passed State teacher licensing exam and holds current license to teach; certification or license requirements may not be waived on emergency, temporary, or provisional basis;
- B. for elementary teachers new to the profession, this also requires:
  - 1. at least a bachelor's degree;
  - 2. passing a rigorous State test on subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice);
- C. for secondary or middle school teachers new to the profession this also requires:

1. at least a bachelor's degree, and
2. passing a rigorous State test in each of the subject areas s/he will teach (State certification test may suffice), or
3. for each academic subject taught, having an academic major, course work equivalent to an undergraduate major, a graduate degree, or advanced certification or credentialing;

D. for elementary, middle, or secondary school teachers with prior experience, this also requires:

1. at least a bachelor's degree, and
2. meets standards for new teachers (above), or
3. demonstrates competence in all academic subjects s/he teaches based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State).

#### **REQUIREMENTS FOR TEACHERS ~~IN CORPORATIONS RECEIVING TITLE I FUNDING~~ GENERALLY**

~~All teachers in a Corporation receiving Title I funds shall be "highly qualified" as described above. The Corporation must have a plan and show annual progress towards meeting these teacher qualification requirements.~~

The highly qualified status requirements under the No Child Left Behind Act have been replaced by the requirements of the Every Student Succeeds Act (ESSA). Although the reporting of highly qualified teacher status by the Corporation is no longer required, teachers in Title I programs must be highly qualified. Additionally, ESSA requires teachers be "properly licensed." In order to ensure teachers are properly licensed, refer to <https://www.doe.in.gov/licensing/what-can-i-teach-my-indiana-license> for the most recent "assignment code" language.

Although the requirements concerning highly qualified teachers have been removed from the IDEA and Article 7 regulations, the requirement that students be taught by teachers appropriately licensed to teach the subject area remains.

A special education teacher must hold the appropriate licensure based on a student's disability to be assigned as the student's teacher of record. A special education teacher may teach a core academic subject only if the student is being taught to alternate achievement standards. A teacher who holds any special education license is properly licensed to teach any applied course.

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20 U.S.C. 6319 & 7801