

Book	Policy Manual
Section	Special Update - July 2023 for Board Approval
Title	Revised Policy - Special Update - July 2023 - ADJUNCT TEACHERS
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Revised Policy - Special Update - July 2023

3120.02 – ADJUNCT TEACHERS

The School Board supports filling all teaching positions in the School Corporation with certificated employees but recognizes that there may be times when it is necessary to employ persons who have not completed their certification to teach. In an effort to fill a vacant teaching position, offer a new program or class, or supplement a program currently being offered, the Board may issue an adjunct teacher permit to an individual if the following minimum requirements are met:

- A. The individual has at least four (4) years of experience in the content area in which the individual intends to teach.
- B. The Corporation conducts an expanded criminal history check and expanded child protection index check concerning the individual as required under ~~I.C. 20-26-5-10~~. **Policy 3121 - Personal Background Checks, References, and Mandatory Reporting of Convictions and Substantiated Child Abuse (x) and Arrests.**
- C. ~~The individual has not been convicted of a () felony [minimum required] () offense [END OF OPTIONS] listed in I.C. 20-28-5-8(c) or (d) or the individual's conviction has been reversed, vacated, or set aside on appeal. The individual has not been convicted of an unemployable offense as identified in Policy 3121 - Personal Background Checks, References, and Mandatory Reporting of Convictions and Substantiated Child Abuse (x) and Arrests.~~
- D. ~~() _____.~~
- E. ~~() _____.~~

DRAFTING NOTE: THE BOARD MAY SELECT ONE, BOTH, OR NEITHER OF THE FOLLOWING OPTIONS:

[] [Option 1]

~~Per I.C. 20-28-5-11.2(c), the Corporation may employ or contract with an individual convicted of any of the following offenses if a majority of the Board approves the employment or contract as a separate, special agenda item [select the items below that the Board wishes to permit]:~~

- A. ~~() An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5.~~
- B. ~~() Battery (I.C. 35-42-2-1), unless it is a Class A, B, or C felony conviction (for a crime committed before July 1, 2014) or a Level 2, 3, or 5 felony conviction (for a crime committed after June 30, 2014).~~
- C. ~~() Domestic battery (I.C. 35-42-2-1.3), unless it is a Class A, B, or C felony conviction (for a crime committed before July 1, 2014) or a Level 2, 3, or 5 felony conviction (for a crime committed after June 30, 2014)~~
- D. ~~() Contributing to the delinquency of a minor (I.C. 35-46-1-8).~~
- E. ~~() An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5.~~

- F. ~~() An offense relating to controlled substances under IC 35-48-4, other than (a) an offense involving marijuana or paraphernalia used to consume marijuana; (b) dealing in or manufacturing cocaine or a narcotic drug (I.C. 35-48-4-1); (c) dealing in methamphetamine (I.C. 35-48-4-1.1); (d) manufacturing methamphetamine (I.C. 35-48-4-1.2); (e) dealing in a schedule I, II, or III controlled substance (I.C. 35-48-4-2); (f) dealing in a schedule IV controlled substance (I.C. 35-48-4-3); (g) dealing in a schedule V controlled substance (I.C. 35-48-4-4); (h) dealing in a counterfeit substance (IC 35-48-4-5); (i) dealing in marijuana, hash oil, hashish, or salvia as a felony (I.C. 35-48-4-10); or (j) an offense under I.C. 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in I.C. 35-31.5-2-321), a synthetic drug lookalike substance [as defined in I.C. 35-31.5-2-321.5 (before its repeal on July 1, 2019) or under I.C. 35-48-4-10.5 (before its repeal on July 1, 2019)], a controlled substance analog (as defined in I.C. 35-48-1-9.3), or a substance represented to be a controlled substance (as described in I.C. 35-48-4-4.6).~~

[End of Option 1]

[] [Option 2]

Per I.C. 20-26-5-11.2(h), the Corporation may hire or contract with an individual **[select the items below that the Board wishes to permit]:**

- A. ~~() who is required to wear an ankle monitor as the result of a criminal conviction.~~
- B. ~~() who entered into an agreement to settle an allegation of misconduct relating to the health, safety, or well-being of a student at a school corporation, charter school, or State accredited nonpublic school, if the agreement included a disclosure agreement covering the alleged misconduct [as defined in I.C. 20-26-5-11.2(i)].~~
- C. ~~() who, in an academic environment, engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition the child for sexual activity (as defined in I.C. 35-42-4-13)~~

~~if a majority of the Board approves the employment or contract as a separate, special agenda item.~~

[End of Option 2]

[END OF OPTIONS]

The Corporation may enter into an employment agreement with an individual to whom the Board has issued an adjunct teacher permit as a part-time or full-time teacher of the Corporation. The individual who holds the adjunct teacher permit may teach in any content area in which the Corporation allows the individual to teach and in which the individual has at least four (4) years of experience. Provided, however, that:

- A. the individual ~~must~~ **shall** be assigned a teacher mentor for support in pedagogy; and
- B. the individual ~~must~~ **shall** complete the following training within the first ninety (90) days of employment:
1. I.C. 20-26-5-34.2 (bullying prevention).
 2. I.C. 20-28-3-4.5 (training on child abuse and neglect).
 3. I.C. 20-28-3-6 (youth suicide awareness and prevention training).
 4. I.C. 20-28-3-7 (training on human trafficking).

An adjunct teacher shall not provide special education instruction.

Except as otherwise provided in a collective bargaining agreement entered into or renewed before July 1, 2022, an employment agreement entered into between the Corporation and an individual to whom the Board has issued an adjunct teacher permit is not subject to a collective bargaining agreement entered into under I.C. 20-29. Furthermore, it is not an unfair practice for the Corporation to enter into an employment agreement with an individual to whom the Board has issued an adjunct teacher permit.

The Corporation shall report the following information to the State Department of Education if it hires an adjunct teacher:

- A. The number of adjunct teachers who hold an adjunct teacher permit that the Corporation has hired each school year, disaggregated by the grade level and subject area taught by the adjunct teacher.

B. The following information for each adjunct teacher:

1. The name of the adjunct teacher.
2. The subject matter the adjunct teacher is permitted to teach.
3. A description of the adjunct teacher's experience that qualifies the adjunct teacher for the adjunct teacher permit.
4. The adjunct teacher's total salary and any other compensation paid to the adjunct teacher during the school year.
5. The number of previous adjunct teaching employment agreements the adjunct teacher has entered into with the Corporation or any other school corporation.

The Corporation shall post a vacant adjunct teacher position on the State Department of Education's online adjunct teacher portal.

The Corporation ☒ may ~~statutory~~ ~~() shall () shall not~~ **[END OF OPTIONS]** notify the parents of students enrolled in the Corporation of a vacant adjunct teacher position.

The Board shall announce any vacant adjunct teacher positions at Board meetings.

An individual who holds an adjunct teacher permit issued by the Board is not required to be employed on a uniform teacher's contract or a supplemental service teacher's contract. An employment agreement entered into between the Corporation and an individual who holds an adjunct teacher permit issued by the Board ~~must~~ **shall**:

- A. be in writing;
- B. be signed by both parties; and
- C. contain the following:
 1. the total salary and any other compensation to be paid to the adjunct teacher during the school year;
 2. the method and frequency of salary payments;
 3. the number of classes the adjunct teacher is to teach;
 4. the classes and subject matter areas that the adjunct teacher will be teaching;
 5. an expiration date that is not later than the end of the school year.

This employment agreement is a public record open to inspection. An adjunct teacher may enter into employment agreements with more than one (1) school corporation. An employment agreement between an adjunct teacher and the Corporation is not subject to I.C. 20-28-9-1.5, which governs salary increases for a teacher employed by the Corporation.

An adjunct teacher holding a permit issued by the Board is not a "school employee" within the meaning of I.C. 20-29-2-13, for purposes of collective bargaining. However, the use of adjunct teachers is a mandatory subject of discussion between the Corporation and the exclusive representative of its certificated employees.

I.C. 10-13-3-39

I.C. 20-19-3-25

I.C. 20-26-5-10

I.C. 20-26-5-11.2

I.C. 20-28-5-27

I.C. 20-28-6-7.3

I.C. 20-28-9-1.5(m)

I.C. 20-29-6-7(16)

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Legal

I.C. 10-13-3-39

I.C. 20-19-3-25

I.C. 20-26-5-10

I.C. 20-26-5-11.2

I.C. 20-28-5-27

I.C. 20-28-6-7.3

I.C. 20-28-9-1.5(m)

I.C. 20-29-6-7(16)