

**Alloway Township Board of Education
District Policy Manual**

**Instructional & Support Personnel
Recruitment, Selection & Hiring**

**Series 4000
Policy 4111/4211**

**Date Adopted: January 23, 1996 Date Revised: October 28, 2003,
April 29, 2014, May 22, 2018**

Page 1 of 3

The Board believes that the quality of the professional staff in large part determines the quality of the education offered district pupils. Therefore, the Superintendent 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 Superintendent shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

It shall be the duty of the Superintendent to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the initiation 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 Superintendent of Schools shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq. or any other federal or state law(s) and/or statutes. The Superintendent of Schools, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Board of Education shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules and temporary transfers to less strenuous or hazardous work. Such accommodations that cause an undue hardship in the operation of the school district are not required.

The Superintendent 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 Board shall affirm employment and initial placement on the salary guide by a majority vote of the full membership of the Board.

The Board will appoint teaching staff members only from nominations made by the Superintendent. Should a nominee be rejected, it shall be the duty of the Superintendent to make other nominations.

Alloway Township Board of Education
District Policy Manual

Instructional & Support Personnel
Recruitment, Selection & Hiring

Series 4000
Policy 4111/4211

Page 2 of 3

In accordance with the provisions of PL 2018 c5, as of June 1, 2018, all applicants for a position involving regular contact with students must provide:

- a contact list of their current and former employers within the last 20 years that were schools or involved direct contact with children;
- a written authorization allowing the former employers to release requested information;
- a written statement as to whether the applicant has ever been the subject of, or disciplined for, any child abuse or sexual misconduct concerning any student; and,
- a written statement as to whether the applicant ever had a license or certificate suspended or revoked in connection with child abuse or sexual misconduct with a student.

Former employers are indemnified for providing this information.

In addition, the law stipulates that the district is required to contact the references to verify the applicant's employment history, and previous employers have 20 days to disclose requested information. The applicant may receive a provisional contract of up to 90 days while the investigation is proceeding. Any information provided is not considered a public record and not subject to an OPRA request. The district will not be subject to liability for claims brought by an applicant who is not offered employment or whose employment is terminated because required information could not be verified.

The law further stipulates that beginning on June 1, 2018, all applications for positions involving regular contact with students must include a notification of the penalties for willfully providing false information regarding this information.

Violation of this law by the applicant may result in discipline, including termination and/or a civil penalty of not more than \$500.00.

Alloway Township Board of Education District Policy Manual

Instructional & Support Personnel
Recruitment, Selection & Hiring

Series 4000
Policy 4111/4211

Page 3 of 3

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification;
use in connection with business or occupation
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils;
grounds for disqualification from employment; exception
18A:6-76.1 Deadline for notification to students of requirements of provisional
certificate and induction program
18A:11-1 General mandatory powers and duties
18A:13-40 General powers and duties of board of newly created regional districts
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
26:8A-1 et seq. Domestic Partnership Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-6.1 et seq. Types of Certificates
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and
Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies
6A:32-5.1 Standards for determining seniority
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by
the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Old Bridge Education Association v. Old Bridge Township Bd. of Ed.
PL 2018 c5 – Hiring requirements
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
The Comprehensive Equity Plan, New Jersey Department of Education

Possible Cross References

2130, 2131, 3000/3010, 4000, 4111.1, 4112.2, 4112.4, 4112.5, 4112.6, 4112.8,
4121, 4123, 5120, 6010, 9123, 9124