

# TURKEYFOOT VALLEY AREA SCHOOL DISTRICT

No. 404

SECTION: PROFESSIONAL EMPLOYEES

TITLE: EMPLOYMENT OF  
PROFESSIONAL EMPLOYEES

ADOPTED: 5/20/2013

REVISED: October 17, 2016

404. EMPLOYMENT OF PROFESSIONAL EMPLOYEES	
<p>1. Purpose Title 22 Sec. 4.4</p>	<p>The Board places substantial responsibility for the educational program and effective operation of the schools with the professional staff employed by the district.</p>
<p>2. Authority SC 508, 1106, 1142, 1146</p> <p>SC 1111</p>	<p>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 district.</p> <p>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.</p>
<p>3. Guidelines SC 1204.1</p> <p>SC 111 23 Pa. C.S.A. 6301 et seq Title 22 Sec. 8.1 et seq</p> <p>SC 1201 Title 22 Sec. 49.81 et seq</p>	<p>The district shall use the Standard Application For Teaching Positions but may establish and implement other application requirements.</p> <p>ALL public and private schools are required to review the background check reports, including the federal criminal history record information (CHRI) reports of all prospective employees and independent contractors who will have direct contact with children. The higher education institution administrator is responsible for reviewing the reports of prospective student teachers. The school/higher education administrator must make a determination regarding the fitness of the individual to work in a position where he or she will have contact with children. The review and fitness determination is required PRIOR to the applicant working in a school.</p> <p>No candidate shall be employed until such candidate has complied with the mandatory background check requirements for criminal history, FBI fingerprinting, drug &amp; alcohol testing, child abuse and the district has evaluated the results of that screening process. Should questions arise as to the qualification of an applicant, the Superintendent shall refer to the necessary school code and consult with the school solicitor to determine eligibility status</p>

<p>42 U.S.C. Sec. 653a</p> <p>20 U.S.C. Sec. 6319</p> <p>4. Delegation of Responsibility Pol. 104 P.L. 88-352 P.L. 92-318</p> <p>SC 1201 Title 22 Sec. 49.81 et seq</p> <p>20 U.S.C. Sec. 6319</p> <p>School Code 111, 508, 1106, 1109, 1111, 1201, 1204.1</p> <p>PA Code Title 22 Sec. 4.4, 8.1 et seq, 49.81 et seq</p> <p>PA Code Title 22 Sec. 403.1, 403.4</p> <p>PA Statute 23 Pa. C.S.A. 6301 et seq</p> <p>Federal Regulations P.L. 88-352 P.L. 92-318</p>	<p>of the applicant. The applicant will be informed by the superintendent of this determination.</p> <p><u>Arrest or Conviction Reporting Requirements</u></p> <p>Act 24 requires that all school employees complete and return to their school administrator a <u>PDE Form 6004</u> (PDF) within 72 hours of any arrest or conviction of an offense listed in Section 111(e). If an employee refuses to submit the form, Act 24 requires that the School Administrator submit the employee to a new background check under Section 111. Forms may be found on PDE website and are also available by contacting the office of the school district superintendent.</p> <p>Employees shall use the designated form to report to the Superintendent or designee, within seventy-two (72) hours of the occurrence, an arrest or conviction required to be reported by law. [14][15]</p> <p>Employees shall also report to the Superintendent or designee, in writing, within seventy-two (72) hours of notification, that the employee has been listed as a perpetrator in the Statewide database, in accordance with the Child Protective Services Law. [16]</p> <p>An employee shall be required to submit a current criminal history background check report if the Superintendent or designee has a reasonable belief that the employee was arrested or has been convicted of an offense required to be reported by law, and the employee has not notified the Superintendent or designee. Failure to accurately report such arrests and convictions may, depending on the nature of the offense, subject the employee to disciplinary action up to and including termination and criminal prosecution. [14]</p> <p>Any employee’s 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>No candidate for professional employment shall receive recommendation for such employment without evidence of his/her certification.</p>
--	--

The district shall submit all New Hire Reports for each employee required to be reported by law.

Title I Teachers

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.

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.

Each professional staff member employed by the district shall be responsible for maintaining a valid teaching certificate.

The principal of 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 district office and the school office and shall be available to the public, upon request.