

**CHESTER COUNTY
INTERMEDIATE
UNIT 24**

SECTION: EMPLOYEES
TITLE: EMPLOYMENT OF INTERMEDIATE UNIT STAFF
ADOPTED: JULY 21, 2010
READOPTED: AUGUST 19, 2020

304. EMPLOYMENT OF INTERMEDIATE UNIT STAFF

Policy Section	Policy Description
<p>1. Authority</p>	<p>Board approval of employees shall normally be given to the candidates for employment appointed or recommended by the Executive Director.</p> <p>Legal References: SC 963, 964, 965</p> <p>No person shall be employed who is related, as defined in law, to any member of the Board, the IU Executive Director, commissioned officer, and/or any division director, unless such person receives the affirmative vote of a 2/3 majority of all members of the Board other than any Board member related to the applicant, who shall not vote.</p> <p>Legal Reference: SC 1111</p> <p>No person shall be employed based on the person’s acquaintance, friendship or other relationship with a member of the Board or an Intermediate Unit employee. Employment shall be based on merit and in strict accordance with law, Board policy and employment contracts.</p> <p>The Board authorizes the use of employees prior to Board approval when necessary to maintain continuity of the educational program and services in the Intermediate Unit. Retroactive approval shall be recommended to the Board at the next regular meeting.</p> <p>An employee's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board.</p> <p>A candidate shall not be employed until s/he has complied with the mandatory background check requirements for criminal history, FBI clearance, and child abuse and the Intermediate Unit has evaluated the results of that screening process.</p> <p>Legal References: SC 111, Title 22, Sec. 8.1 et seq; 23 Pa. C.S.A., Sec. 6301 et seq</p>

<p>2. Delegation of Responsibility</p>	<p>The Executive Director or designee shall develop administrative regulations for recruiting, screening, and recommending candidates for employment, in accordance with Board policy and state and federal laws and regulations.</p> <p>Legal Reference: Pol. 104</p> <p>Staff vacancies that represent opportunities for professional advancement or diversification shall be made known to Intermediate Unit personnel so they may apply for such positions.</p> <p>The Executive Director or designee may apply necessary screening procedures to determine a candidate's ability to perform the job functions of the position for which a candidate is being considered.</p> <p>Legal Reference: 42 U.S.C., Sec. 12112</p> <p>The Executive Director or designee shall seek recommendations from former employers and others in assessing the candidate's qualifications. Recommendations and references shall be retained confidentially and for official use only.</p>
<p>3. Guidelines</p>	<p><u>Recruitment and Appointment</u></p> <p>The Executive Director, with the Human Resources Director, will ensure that efforts will be made to recruit and appoint candidates who, without undue preference, will help the Intermediate Unit achieve and maintain a diverse employee complement. All administrative and supervisory staff will be expected to have an understanding of recruitment and hiring practices and will assist in the process as appropriate.</p> <p>The Head Start Policy Council will nominate candidates to fill vacant positions on the staff of Head Start. The Executive Director will recommend nominees who fulfill all position requirements to the Board for employment.</p> <p><u>Pre-Employment Requirements</u></p> <p>The Intermediate Unit shall conduct an employment history review in compliance with state law prior to issuing an offer of substitute employment to a candidate. The employment history review shall remain valid as long as the substitute continues to be employed by the Intermediate Unit or remains on the approved substitute list. 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 Intermediate Unit 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.</p> <p>Legal Reference: SC 111.1</p> <p>A candidate shall not be employed until the individual has complied with the</p>

mandatory background check requirements for criminal history and child abuse and the Intermediate Unit has evaluated the results of that screening process.

Legal References: SC 111; 23 Pa. C.S.A., Sec. 6344

Each candidate shall report, on the designated form, arrests and convictions as specified on the form. Candidates shall likewise report arrests and/or 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.

Legal References: SC 111, 111.1

A candidate for employment in the Intermediate Unit shall not receive a recommendation for employment without evidence of his/her certification when such certification is required.

Legal References: SC 1109, 1201; 24 P.S., Sec. 2070.2; Title 22, Sec. 49.1 et seq

Certification

The Executive Director will recommend for employment candidates who possess appropriate certification for those positions which require certification. Copies of certificates will be kept in individual personnel files.

Legal References : SC 963, 1109, 1201; Title 22, Sec. 49.1 et seq; Pol. 324

Candidates employed in positions which require certification shall be responsible for maintaining valid and active certificates.

Legal References: SC 963, 1109, 1201; Title 22, Sec. 49.1 et seq

Nepotism

Refer to Board Policy 304.1 Nepotism

Legal Reference: SC 1154

Title I Requirements

All elementary, middle and secondary teachers employed by the Intermediate Unit who teach core academic subjects in programs in member school districts shall be highly qualified, as defined by federal law and state regulations.

Legal References: Title 22, Sec. 403.2, 403.4; 20 U.S.C., Sec. 6319, 7801

The principal of a school providing Title I programs to students shall annually attest that professional staff teaching in such programs are highly qualified and

paraprofessionals providing instructional support in such programs meet required qualifications, in accordance with federal law and state regulations. The written certifications shall be maintained in the school district office and the school office and shall be available to the public, upon request.

Legal References: Title 22, Sec. 403.4, 403.5; 20 U.S.C., Sec. 6319, 7801

All paraprofessionals providing instructional support in a program in member school districts supported by Title I funds shall have a secondary school diploma or a recognized equivalent and one (1) of the following:

1. At least two (2) years of study at an institution of higher learning.
2. Associate's or higher degree.
3. Evidence of meeting a rigorous standard of quality through a state or local assessment.

Title I paraprofessionals who solely coordinate parental involvement activities or act as translators are exempt from the above qualifications.

Legal References: Title 22, Sec. 403.2, 403.5; 20 U.S.C., Sec. 6319

Special Education Paraprofessionals and Personal Care Assistants

All instructional paraprofessionals and personal care assistants hired on or after July 1, 2010, who support and assist in providing instructional programs and other services to students with disabilities or eligible students shall have a secondary school diploma and one (1) of the following:

1. At least two (2) years of postsecondary study (forty-eight (48) credits).
2. Associate's or higher degree.
3. Evidence of meeting a rigorous standard of quality through a state or local assessment.

Legal References: Title 22, Sec. 14.105; Pol. 113

Instructional paraprofessionals and personal care assistants shall provide evidence of twenty (20) hours of staff development activities related to their assignment each school year.

Legal References: Title 22, Sec. 14.105

Educational Interpreters

An educational interpreter is an individual who provides students who are deaf or

References:	<p>hard of hearing with interpreting or transliterating services in an educational setting. To serve as an educational interpreter, an individual shall meet the qualifications set forth in law and regulations.</p> <p>Educational interpreters shall provide evidence of twenty (20) hours of staff development activities related to their assignment each school year.</p> <p>Legal Reference: Title 22, Sec. 14.105</p> <p><u>Supplemental Professional Positions</u></p> <p>Supplemental positions shall be approved each school year and filled at the discretion of the administration. Positions and unit values shall be reviewed with representatives of the bargaining unit. The rate of pay per unit shall be determined annually consistent with the collective bargaining agreement between the Board and bargaining unit.</p> <p>School Code – 24 P.S. Sec. 108, 111, 111.1 508, 963, 964, 965, 1089, 1109, 1111, 1142-1152, 1154, 1201, 1204.1</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 8.1 et seq., 14.105, 49.1 et seq.</p> <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>Educator Discipline Act – 24 P. S. Sec. 2070.2</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Board Policy – 000, 104, 113, 304.1, 324</p> <p>NOTES:</p> <p>This policy applies to substitutes directly employed by the Intermediate Unit. Policy 818 Contracted Services, would apply to substitutes hired through independent contractors.</p>
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