

## Vicksburg Community Schools Bylaws & Policies

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### **3120 - EMPLOYMENT AND PLACEMENT OF PROFESSIONAL STAFF**

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

The Superintendent or his/her designee shall determine teacher placement based on qualifications (as defined by the District, which shall include, but not be limited to, state and federal requirements such as certification, Highly Qualified requirements, endorsements, *etc.*), the academic needs and best interest of District students, and the District's educational program. Teacher preference(s) may also be considered. At all times, the District shall strive to place the most effective and qualified teachers in assignments aligned with student and District needs.

For purposes of this policy, "placement" shall mean and include the filling of vacancies, voluntary and involuntary transfers, job sharing, and any decision, which results in the placement of a teacher in an assignment determined by the District to be a teaching assignment; "vacancy" shall mean and include any unoccupied position to be filled by the Board after all other positions have been filled by District assignments, transfers, or recalls, in the manner and to the extent determined by the District as appropriate. Staffing decisions when making a personnel reduction or recall are subject to Board Policy [Layoff and Recall Policy].

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 District.

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

- A. administrative staff  
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- B. teacher  
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- C. counselors  
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- D. special education: itinerant staff  
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For purposes of this policy, "teacher" includes individuals whose employment is regulated by the Tenure Act, such as individuals with teaching certificates (as defined by the Teacher Certification Code) who are assigned to positions within the District for which the

Michigan Department of Education (MDE) requires a teaching certificate. Individuals who do not possess teaching certificates but are serving a probationary period under the Tenure Act or acquire classroom teacher tenure within the District are also considered as a “teacher” for purposes of this policy. Individuals who may possess a teaching certificate but are assigned to a position for which a certificate is not required are not subject to this policy or its implementing regulations (*e.g.*, school social workers, school psychologists, school nurses, occupational therapists, *etc.*).

Pursuant to section 15(3)(j) of the Public Employment Relations Act, teacher placement decisions, and the impact of such decisions on the individual teacher or the bargaining unit, shall not be the subject of any terms or conditions within a collective bargaining agreement between the District and a collective bargaining representative of such teachers.

The Superintendent or his/her designee may develop and adopt administrative guidelines related to teacher placement.

All professional staff are subject to a criminal history record check. See Policy [3121](#).

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

All applications for employment shall be referred to the Superintendent.

Applications for employment will not be accepted from any current District Board member. If a Board member wishes to apply for a position, his/her resignation must be accepted by the Board prior to submitting an application.

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

Wherever possible, positions shall be filled by holders of permanent, professional, or provisional certificates. Only when, after due diligence, a worthy candidate holding permanent, professional, or provisional certification cannot be found, the Board may employ the holder of an emergency certificate.

No candidate for employment to the professional staff as a nonadministrator shall receive recommendation for such employment without having proffered visual evidence of proper certification or that application for such certification is in process, except under the following circumstances:

- A. The Superintendent may employ noncertificated, nonendorsed teachers to teach, in grades 9-12, a course in computer science, foreign language, mathematics, biology, chemistry, engineering, physics, robotics, or any other course approved by the State Board, providing they meet all of the conditions established by law and by the Superintendent.  
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- B. The Superintendent may also employ a teacher without a valid teaching certificate if the person has at least ninety (90) semester hours of college credit from a college or university.  
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- C. The Superintendent may hire an individual who does not hold a valid teaching certificate to serve in a counseling or role provided s/he meets all the requirements established by law.

Policy [3120](#) and Policy [3121](#) shall apply with respect to that individual in the same manner required for employing a person with a teaching certificate.

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

Source: MCL §423.215(3)(j).

Revised 1/99

Revised 11/12/01

Revised 11/13/06

Revised 6/11/12