

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

January 3, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 5:280- Educational Support Personnel

This policy has been updated to reflect changes from only three categories of personnel (bus drivers, coaches, and teacher aides) to paraprofessionals and teacher aides, non-certified personnel working with students performing non-instructional duties, coaches and athletic trainers, and bus drivers. All requirements for these positions are listed. All legal references have been updated.

We can use this as our first reading and place this on the consent agenda for next time.

## Educational Support Personnel

### Duties and Qualifications <sup>1</sup>

All support staff: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to School Board policies as they may be changed from time to time at the Board's sole discretion.

### Paraprofessionals and Teacher Aides <sup>2</sup>

"Paraprofessionals" and "teacher aides" are noncertificated personnel with instructional duties; the terms are synonymous. Service as a paraprofessional or teacher aide requires a "statement of approval" issued by the Illinois State Board of Education (ISBE), unless the individual holds certification of at least a bachelor's degree, a professional vocational certificate, is completing an approved clinical experience, and/or is student teaching.

A paraprofessional or teacher aide in a targeted assistance program that is paid with federal funds under Title I, Part A, or in a school-wide program that is supported with such funds, shall hold a "statement of approval," issued by the ISBE, for this purpose. <sup>3</sup>

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals or teacher aides and the requirements in this section do not apply. In addition, individuals who are completing their clinical experiences and/or student teaching do not need to comply with this section, provided they otherwise qualify for instructional duties under ISBE rules. <sup>4</sup>

### Noncertificated Personnel Working with Students Performing Non-Instructional Duties

Noncertificated personnel performing non-instructional duties may be used:

1. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio) detention and discipline areas, and school-sponsored extracurricular activities; <sup>5</sup>
2. As supervisors, chaperones, or sponsors for non-academic school activities; or <sup>6</sup>
3. For non-teaching duties not requiring instructional judgment or student evaluation. <sup>7</sup>

Nothing in this policy prevents a noncertificated person from serving as a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval. <sup>8</sup>

---

**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

<sup>2</sup> 23 Ill.Admin.Code §25.510; 23 Ill.Admin.Code §1.630(b)(2).

<sup>3</sup> 23 Ill.Admin.Code §25.510(d).

<sup>4</sup> 105 ILCS 5/10-22.34(d); 23 Ill.Admin.Code §1.630(f).

<sup>5</sup> 105 ILCS 5/10-22.34(a)(2).

<sup>6</sup> 105 ILCS 5/10-22.34a.

<sup>7</sup> 105 ILCS 5/10-22.34(a)(1).

<sup>8</sup> 105 ILCS 5/10-22.34b, last paragraph. Noncertificated personnel may be used to provide specialized instruction in a field that an individual is particularly qualified by reason of specialized knowledge or skill (23 Ill.Admin.Code §1.630(g). Districts that frequently use noncertificated individuals to provide such instruction may consider adding the following optional sentence:

## Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. <sup>9</sup> The coach for an extracurricular athletic activity sponsored or sanctioned by the Illinois High School Association (IHSA) at or above the ninth grade level must have completed the IHSA's educational program and competency testing on preventing abuse of performance-enhancing substances. <sup>10</sup> Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automated External Defibrillator user according to rules adopted by the Illinois Department of Public Health. <sup>11</sup> Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law. <sup>12</sup>

## Bus Drivers

All school bus drivers must have a valid school bus driver permit. <sup>13</sup> The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder has been called to active duty. <sup>14</sup> New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

---

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

When appropriate, the Superintendent may seek approval from the responsible Regional Superintendent for a noncertificated individual to provide specialized instruction, that is not otherwise readily available in the school environment, in the field that the individual is particularly qualified by reason of specialized knowledge or skill.

<sup>9</sup> A district should consult the handbooks and by-laws of the appropriate associations, e.g., the Illinois High School Association, the Southern Illinois Junior High School Athletic Association, and the Illinois Elementary School Association.

<sup>10</sup> Required by 105 ILCS 25/2, added by P.A. 96-132, recodified by P.A. 96-1000.

<sup>11</sup> Optional and may be amended. The first requirement identifies a basic competency and the second two requirements are intended to ensure coaches are trained emergency responders. For AED training program requirements, see Automated External Defibrillator Act (410 ILCS 4/15) and Automated External Defibrillator Code (77 Ill.Admin.Code Part 525).

<sup>12</sup> 225 ILCS 5/3 and 5/4.

<sup>13</sup> The regional superintendent is authorized to conduct school bus driver instruction courses and investigate whether persons hired to operate school buses have valid school bus driver permits (105 ILCS 5/3-14.23).

School bus driver permits are issued by the Secretary of State (625 ILCS 5/6-106.1, amended by P.A. 96-962 and P.A. 96-1182). Districts must conduct a pre-employment interview with bus driver candidates, distribute bus driver applications and medical forms, and submit the applicant's fingerprint cards to the State Police for criminal background investigations. Districts must also certify in writing to the Secretary of State that all pre-employment conditions were completed, including an Illinois-specific criminal background investigation through the State Police and the submission of necessary fingerprints to the Federal Bureau of Investigation for criminal history information (*Id.*). The applicant presents this certification to the Secretary of State when submitting the school bus driver permit application (*Id.*).

A school bus driver operating a school bus at the time of an accident is deemed by the implied consent law to agree to submit to tests at the direction of a law enforcement officer of the driver's breath, blood, or urine to determine the presence of alcohol, or other drugs, in the person's system (625 ILCS 5/6-516).

Anyone driving a bus chartered to transport students to or from interscholastic athletic or interscholastic or school sponsored activities must have a valid school bus driver permit; this does not apply to any driver employed by a public transportation provider when the bus is on a regularly scheduled route for transporting other fare paying passengers (625 ILCS 5/6-104(d-5)).

<sup>14</sup> This sentence is optional but the notification is required by 625 ILCS 5/6-106.1(h), added by P.A. 96-89. "Active duty" is defined in the statute as active duty pursuant to an executive order of the U.S. President, an act of the Congress, or an order of the Governor. Upon notification, the Secretary of State will characterize the permit as inactive until a permit holder renews the permit pursuant to 625 ILCS 5/6-106.1(b).

LEGAL REF.: No Child Left Behind Act of 2001, 20 U.S.C. §6319(c).  
34 C.F.R. §§200.58 and 200.59.  
105 ILCS 5/10-22.34, 5/10-22.34a, 5/10-22.34b, and 25/2.  
625 ILCS 5/6-104 and 5/6-106.1.  
23 Ill.Admin.Code §§25.510, 25.520.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

## **Educational Support Personnel**

### **Teacher Aides, Coaches, and Bus Drivers**

#### Teacher Aides

Teacher aides are non-teaching or voluntary personnel who may be used:

1. For non-teaching duties not requiring instructional judgment or evaluation of students;
2. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (such as computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
3. To assist with academic programs under a certificated teacher's immediate supervision;
4. As a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval; or
5. For providing specialized instruction in fields in which they are particularly qualified, due to their knowledge or skills, under a certificated teacher's direction and with the regional superintendent's approval.

Non-certificated personnel may be used as supervisors, chaperones or sponsors, either on a voluntary or on a compensated basis, for non-academic school activities.

#### Coaches

Athletic coaches shall have the qualifications required by any association in which the School District maintains a membership.

#### Bus Drivers

All school bus drivers must have a valid school bus driver permit. New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

LEGAL REF.: 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.  
625 ILCS 5/6-104 and 5/6-106.1.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

ADOPTED: May 20, 2002