

## **Professional Staff Recruiting/Hiring**

### **Recruiting**

The Board desires the superintendent to develop and maintain a recruitment program designed to attract and hold the best possible personnel, who are highly qualified as defined by the federal No Child Left Behind Act of 2001 (NCLB), in the district's schools.

It is the responsibility of the superintendent, with the assistance of other administrators, to determine the personnel needs of the district in general and of each individual school and to locate suitable candidates to recommend to the Board for employment. The search for good teachers and other professional personnel shall extend to a wide variety of educational institutions and geographical areas. It shall take into consideration the diverse characteristics of the school system and the need for staff members of various backgrounds.

Recruitment procedures shall not overlook the talents and potential of individuals already employed in the district schools. Any present employee of the district may apply for a position for which he or she is licensed, highly qualified and meets other stated requirements.

### **Background checks**

Prior to hiring any person, in accordance with state law the district shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit reports are used in the hiring process, the district shall comply with the Fair Credit Reporting Act.

### **Hiring**

There shall be no discrimination in the hiring process on the basis of race, color, creed, sex, sexual orientation, religion, national origin, ancestry, age, marital status or disability.

All candidates shall be considered on the basis of their merits, qualifications and the needs of the school district. The Board directs that recruitment procedures will give preference to candidates who meet the NCLB definition of highly qualified.

All interviewing and selection procedures shall ensure that the administrator directly responsible for the work of a staff member has an opportunity to aid in the selection. However, the final selection for nomination shall be made only by the superintendent.

### **Appointment of candidates**

Nominations shall be made at meetings of the Board of Education. Nominations of candidates who are not highly qualified, as defined by the NCLB, will be accompanied with an explanation as to why a highly qualified candidate was not hired for the position. The vote of a majority of the Board shall be necessary to approve the appointment of teachers, administrators or any other employee of the school district. If there is a negative vote by the Board, the superintendent shall submit a new recommendation to the Board for approval.

Upon the hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.

Adopted: November 14, 1978

Revised: September 14, 1993

Revised: September 27, 1994

Revised: April 14, 1998

Revised: December 14, 1999

Revised: October 12, 2010

LEGAL REFS.: C.R.S. 13-80-103.9 (*liability for failure to perform an education employment required background check*)

C.R.S. 14-14-111.5 (*Child Support Enforcement procedures*)

C.R.S. 22-2-119 (*duty to make inquiries prior to hiring*)

C.R.S. 22-32-109 (1)(f) *(Board duty to employ personnel)*  
C.R.S. 22-32-109.7 *(inquiries prior to hiring)*  
C.R.S. 22-32-126  
C.R.S. 22-60-.5-114 (3) *(State Board can waive some requirements for initial license applicants upon request of school district)*  
C.R.S. 22-60.5-201  
C.R.S. 22-61-101  
C.R.S. 22-61-103  
C.R.S. 22-63-201  
C.R.S. 22-63-202  
C.R.S. 24-5-101 *(effect of criminal conviction on employment)*  
C.R.S. 24-34-402 (1) *(discriminatory and unfair employment practices)*  
C.R.S. 24-72-202 (4.5) *(definition of personnel file in open records law)*  
15 U.S.C. 1681 *et seq.* *(Fair Credit Reporting Act)*  
20 U.S.C. 6319 *(teacher requirements under No Child Left Behind Act of 2001)*  
42 U.S.C. 653 (a) *(Personal Responsibility and Work Opportunity Reconciliation Act)*  
34 C.F.R. 200.55 *(federal regulations regarding highly qualified teachers)*

CROSS REF.: GBA, Open Hiring/Equal Employment Opportunity

Swink School District #33, Swink, Colorado