

## All Personnel

BP 4111(a)

## RECRUITMENT AND SELECTION

4211

4311

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission, and goals.

*(cf. 0000 – Vision)*

*(cf. ~~0200~~ - Goals for the School District)*

*(cf. 4000 - Concepts and Roles)*

*(cf. 4100 - Certificated Personnel)*

*(cf. 4200 - Classified Personnel)*

*(cf. 4300 - Administrative and Supervisory Personnel)*

The Superintendent shall develop fair, open, and transparent recruitment and selection processes and procedures which ensure that employees are selected based on demonstrated knowledge, skills, and competence and not based on any bias, personal preference, or unlawful discrimination.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)*

As necessary, when a vacancy occurs, the Superintendent or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. He/she also shall disseminate job announcements to ensure a wide range of candidates.

The district's selection procedures shall include screening processes, interviews, and observations when appropriate, as necessary to identify the best possible candidate for a position.

*(cf. 4112.61/4212.61/4312.61 - Employment References)*

The Superintendent or designee may establish an interview committee to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be confidential in accordance with law.

*(cf. 2230 - Representative and Deliberative Groups)*

No inquiry shall be made with regard to any information prohibited by state or federal nondiscrimination laws.

The Superintendent or designee shall not inquire, orally or in writing, in regard to an applicant's salary history information, including compensation and benefits. He/she shall also not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses

## **RECRUITMENT AND SELECTION (continued)**

voluntarily and without prompting. Upon request, the Superintendent or designee shall provide the applicant the pay scale for the position to which he/she is applying. (Labor Code 432.3)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

*(cf. 4112 - Appointment and Conditions of Employment)*  
*(cf. 4112.2 - Certification)*  
*(cf. 4112.22 - Staff Teaching English Learners)*  
*(cf. 4112.23 - Special Education Staff)*  
*(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)*  
*(cf. 4212 - Appointment and Conditions of Employment)*  
*(cf. 4312.1 - Contracts)*

## **Incentives**

With Board approval and in accordance with district needs, the district may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.

### *Legal Reference:*

#### EDUCATION CODE

200-262.4 Prohibition of discrimination  
35035 Responsibilities of superintendent  
44066 Limitations on certification requirement  
44259 Teaching credential; exception; designated subjects; minimum requirements  
44750 Teacher recruitment resource center  
44830-44831 Employment of certificated persons  
44858 Age or marital status in certificated positions  
44859 Prohibition against certain rules and regulations re residency  
45103-45139 Employment (classified employees)  
49406 Examination for tuberculosis

#### GOVERNMENT CODE

815.2 Liability of public entities and public employees  
12900-12996 Fair Employment and Housing Act, including:  
12940-12956 Discrimination prohibited; unlawful practices

#### HEALTH AND SAFETY CODE

53570-53574 Teacher Housing Act of 2016

#### LABOR CODE

432.3 Salary information

#### UNITED STATES CODE, TITLE 5

552 Freedom of Information Act

#### UNITED STATES CODE, TITLE 8

1324a Unlawful employment of aliens

1324b Unfair immigration related practices

**RECRUITMENT AND SELECTION (concluded)**

UNITED STATES CODE, TITLE 20

*1681-1688 Title IX prohibition against discrimination*

UNITED STATES CODE, TITLE 42

*2000d-2000d-7 Title VI, Civil Rights Act of 1964*

*2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended*

*12101-12213 Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

*35.101-35.190 Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

*106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities*

COURT DECISIONS

*C.A. v William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1*

*Management Resources:*

*CALIFORNIA COUNTY SUPERINTENDENTS EDUCATIONAL SERVICES*

*ASSOCIATION PUBLICATIONS*

*Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017*

WEB SITES

*California County Superintendents Educational Services Association:*

*<http://ccsesa.org/recruit>*

*California Department of Education: <http://www.cde.ca.gov>*

*California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>*

*Education Job Opportunities Information Network: <http://www.edjoin.org>*

*Teach USA: <http://www.calteach.org>*

*U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>*

Revised: 05/08/84, 06/10/85, 12/08/85, 10/08/96, 12/18/03, 06/21/18

Adopted: 02/03/81

Reviewed: 06/21/18

**WRIGHT ELEMENTARY SCHOOL DISTRICT**

Santa Rosa, California

**All Personnel**

BP 4111.2

4211.2

**LEGAL STATUS REQUIREMENT**

4311.2

The Board of Trustees shall ensure that the district employs only those individuals who are lawfully authorized to work in the United States.

The Superintendent or designee shall verify the employment eligibility of all persons hired by completing the U.S. Citizenship and Immigration Services Form I-9, Employment Eligibility Verification, for each individual hired and ensure that the district does not knowingly hire or continue to employ any person not authorized to work in the United States. (8 USC 1324a)

In accordance with law, the Superintendent or designee shall ensure that district employment practices do not unlawfully discriminate on the basis of citizenship status or national origin, including, but not limited to, discrimination against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4111 - Recruitment and Selection)*

*(cf. 4211 - Recruitment and Selection)*

*(cf. 4311 - Recruitment and Selection)*

*Legal Reference:*

UNITED STATES CODE, TITLE 8

*1324a Unlawful employment of aliens*

*1324b Unfair immigrant-related employment practices*

CODE OF FEDERAL REGULATIONS, TITLE 8

*274a.1-274a.14 Control of Employment of Aliens*

*Management Resources:*

U.S. CITIZENSHIP AND IMMIGRATION SERVICES PUBLICATIONS

*Handbook for Employers: Instructions for Completing Form I-9, April 2009*

WEB SITES

*U.S. Citizenship and Immigration Services: <http://www.uscis.gov>*

**All Personnel**

AR 4111.2

4211.2

**LEGAL STATUS REQUIREMENT**

4311.2

Within three business days of hire, the Superintendent or designee shall physically examine the documentation presented by the employee establishing his/her identity and employment authorization as set forth in U.S. Citizenship and Immigration Services Form I-9. The employee may present either an original document which establishes both employment authorization and identity or two separate original documents which establish authorization and identity. Only unexpired documents are acceptable. (8 CFR 274a.2)

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4032 - Reasonable Accommodation)*

The Superintendent or designee shall: (8 CFR 274a.2)

1. Ensure that the documents presented appear to be genuine and relate to the individual
2. Complete the "Employer Review and Verification" section and sign the attestation with a handwritten signature or electronic signature on Form I-9

Persons employed for three business days or less must provide such documentation on their first day. (8 CFR 274a.2)

If unable to provide satisfactory documentation because the document was lost, stolen, or damaged, the employee shall furnish a receipt indicating that a replacement document has been requested. This receipt must be presented within three business days of the hire, and the replacement document must be provided within 90 days of the hire. (8 CFR 274a.2)

If an individual's employment authorization expires, the Superintendent or designee must reverify Form I-9, by noting the document's identification number and expiration date on the form, no later than the date the work authorization expires. The employee shall present a document that shows either continuing employment authorization or a new grant of work authorization. (8 CFR 274a.2)

The district shall retain an individual's Form I-9 for three years after the date of the hire or for one year after the date his/her employment is terminated, whichever is later. (8 CFR 274a.2)

*(cf. 3580 - District Records)*

The Superintendent or designee shall copy documents presented by an individual for verification and shall retain them with the individual's Form I-9. The documents shall be kept confidential and used only as needed to help justify the district's past decision to accept the documents as valid.

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*