

Policy 4311: Recruitment And Selection

Status: ADOPTED

Original Adopted Date: 10/01/1998 | **Last Revised Date:**
03/01/2024 | **Last Reviewed Date:** 03/01/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission, and goals, and believes that students benefit when district staff reflects the racial, ethnic, linguistic, and cultural diversity of the district.

The Superintendent or designee shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected for employment in the district based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures, seek to establish and maintain a diverse staff, including the active recruitment from institutions and organizations that serve populations underrepresented among district employees.

When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.2)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible candidates for a position. In doing so, an interview committee may be established 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 and consistent with law.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the district may not discriminate against a person in hiring based on the person's use of cannabis off the job and away from the workplace, including that the district may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

However, the district retains the right to maintain drug-free schools or prohibit employees from

possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall 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 voluntarily and without prompting. (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.

Incentives

With Board approval and in accordance with district needs and any applicable collective bargaining agreements, 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.

State	Description
Ed. Code 200-262.4	<u>Prohibition of discrimination</u>
Ed. Code 35035	<u>Powers and duties of the superintendent; transfer authority</u>
Ed. Code 44066	<u>Limitations on certification requirements</u>
Ed. Code 44259	<u>Teaching credential, exception; designated subjects; minimum requirements</u>
Ed. Code 44750	<u>Teacher recruitment resource center</u>
Ed. Code 44830-44831	<u>Employment of certificated persons</u>
Ed. Code 44858	<u>Age or marital status in certificated positions</u>
Ed. Code 44859	<u>Prohibition against certain rules and regulations regarding residency</u>
Ed. Code 45103-45139	<u>Employment; classified employees</u>
Ed. Code 49406	<u>TB risk assessment</u>
Gov. Code 12900-12996	<u>Fair Employment and Housing Act</u>
Gov. Code 7920.000-7930.215	<u>California Public Records Act</u>
Gov. Code 815.2	<u>Liability of public entities and public employees</u>
H&S Code 53570-53574	<u>Teacher Housing Act of 2016</u>
Lab. Code 432.3	<u>Salary information</u>
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
5 USC 552	Freedom of Information Act
8 USC 1324a	Unlawful employment of aliens
8 USC 1324b	Unfair immigration related employment practices
Management Resources	Description

CA Commission on Teacher Credentialing Publication	<u>Strategic Plan: Ensuring Educator Excellence, 2023</u>
California County Superintendents Publication	Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017
California Department of Education Publication	<u>How to Increase the Diversity of California's Educator Workforce, April 2022</u>
Court Decision	C.A. v William S. Hart Union High School District et al. (2012) 138 Cal.Rptr.3d 1
Ctr for Cities + Schools, cityLAB & Turner Ctr Pub	<u>Education Workforce Housing in California: Developing the 21st Century Campus, 2021</u>
Ctr for Cities + Schools, cityLAB & Turner Ctr Pub	<u>Education Workforce Housing in California: The Handbook</u>
Website	<u>University of California Los Angeles, cityLAB</u>
Website	<u>University of California Berkeley, Turner Center for Housing Innovation</u>
Website	<u>University of California Berkeley, Center for Cities + Schools</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Commission on Teacher Credentialing</u>
Website	<u>Education Job Opportunities Information Network</u>
Website	<u>Teach USA</u>
Website	<u>California County Superintendents</u>
Website	<u>California Civil Rights Department</u>
Website	<u>U.S. Department of Education</u>
Website	<u>Equal Employment Opportunity Commission</u>
Website	<u>California Department of Education</u>

Code	Description
0000	<u>Vision</u>
0200	<u>Goals For The School District</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
2230	<u>Representative And Deliberative Groups</u>
3542	<u>School Bus Drivers</u>
4000	<u>Concepts And Roles</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4032	<u>Reasonable Accommodation</u>
4100	<u>Certificated Personnel</u>
4111.2	<u>Legal Status Requirement</u>
4111.2	<u>Legal Status Requirement</u>
4112	<u>Appointment And Conditions Of Employment</u>
4112.2	<u>Certification</u>
4112.2	<u>Certification</u>
4112.21	<u>Interns</u>
4112.21	<u>Interns</u>
4112.22	<u>Staff Teaching English Learners</u>
4112.23	<u>Special Education Staff</u>
4112.61	<u>Employment References</u>
4112.8	<u>Employment Of Relatives</u>
4113	<u>Assignment</u>
4113	<u>Assignment</u>
4117.14	<u>Postretirement Employment</u>
4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4211.2	<u>Legal Status Requirement</u>
4211.2	<u>Legal Status Requirement</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.61	<u>Employment References</u>
4212.8	<u>Employment Of Relatives</u>
4300	<u>Administrative And Supervisory Personnel</u>
4300	<u>Administrative And Supervisory Personnel</u>

4311.2	<u>Legal Status Requirement</u>
4311.2	<u>Legal Status Requirement</u>
4312.1	<u>Contracts</u>
4312.61	<u>Employment References</u>
4312.8	<u>Employment Of Relatives</u>
4317.14	<u>Postretirement Employment</u>
4331	<u>Staff Development</u>
6141.4	<u>International Baccalaureate Program</u>
6141.5	<u>Advanced Placement</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
9000	<u>Role Of The Board</u>