

RECRUITMENT AND SELECTION

~~Cautionary Notice: As added and amended by SBX3-4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4-2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB-70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Desert Sands Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.~~

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission ~~to provide high quality education to its students and to ensure the efficient running of district operations, and goals.~~

(cf. 0000 - Vision)

(cf. ~~0100~~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)

(cf. ~~9000~~ - Role of the Board)

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

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. ~~4031~~ - Complaints Concerning Discrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

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

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 also disseminate job announcements to ensure a wide range of candidates.

The district's selection procedures shall include screening processes, interviews, ~~observations,~~ and recommendations from previous employers-, and observations when appropriate, as necessary to identify the best possible candidate for a position. ~~The Superintendent or designee may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.~~

4112.61/4212.61/4312.61 - Employment References)

RECRUITMENT AND SELECTION (continued)

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 ~~category of discrimination~~information prohibited by state or federal ~~law~~ 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 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. ~~4112.24 - Teacher Qualifications Under the No Child Left Behind Act~~ 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)

~~Recruitment Incentives for Teachers~~

~~Contingent upon available funding~~

With Board approval and in accordance with district needs, the Superintendent or designee~~district~~may provide incentives to recruit credentialed teachers to teach in any district school ranked in the bottom half of the state Academic Performance Index. Such incentives may include, but are not limited to, administrators, or other employees, such as signing bonuses, improved work conditions, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing subsidies. (Education Code

RECRUITMENT AND SELECTION (continued)

44735).

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*

~~44735 Incentive grants for recruiting teachers for low performing schools~~

~~44740-44741 Personnel management assistance teams~~

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*

~~52051 Academic Performance Index~~

GOVERNMENT CODE

815.2 *Liability of public entities and public employees*

6250-6276.48 Public Records Act

12900-12996 *Fair Employment and Housing Act, including:*

~~12940-42956~~12957 *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 employment practices*

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*

~~2000h-2 2000h-6 Title IX, 1972 Education Act Amendments~~

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

RECRUITMENT AND SELECTION (continued)

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

WEBSITES

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>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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

Teach USA: <http://www.calteach.culturalvistas.org/programs/us/teach-usa>

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

Policy

adopted: September 15, 1998

revised: August 20, 2002

revised: February 17, 2004

revised: January 22, 2013

revised:

DESERT SANDS UNIFIED SCHOOL DISTRICT

La Quinta, California