

## **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 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 will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the diverse characteristics of the school system and the need for staff members of various backgrounds.

Recruitment procedures will 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 they are licensed and meet other stated requirements.

### **Background checks**

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

### **Post offer/pre-placement physical exam**

As a condition of employment, applicants who are offered positions may be required to pass a pre-placement physical exam. Any such exam will determine whether the applicant can meet the essential functions of the job. The human resources office will determine when such an exam may be necessary and will ensure compliance with all state and federal laws.

### **Hiring**

Discrimination in the hiring process on the basis of disability, race, creed, color, sex, sexual orientation, marital status, national origin, religion, ancestry, genetic information, age, military or veteran status, conditions related to pregnancy or childbirth, or any other category as covered under federal or state statute is prohibited.

All candidates will be considered on the basis of their merits, qualifications and the needs of the school district.

All interviewing and selection procedures will ensure that the administrator directly responsible for the work of a staff member has an opportunity to aid in the selection and that, where applicable, the school principal has an opportunity to consent. Unless otherwise required by law, the final selection for nomination must be made only by the superintendent.

## Appointment of candidates

Nominations must be made at meetings of the Board of Education. The vote of a majority of the Board is 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 must 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: May 26, 1964  
Revised: November 28, 1989  
Revised: March 1994  
Revised: May 31, 2000  
Revised: October 26, 2005  
Revised: October 26, 2011  
Revised: June 20, 2012  
Revised: December 5, 2013  
Revised: May 23, 2018  
Revised: May 9, 2019  
Revised: June 4, 2020  
Revised: August 19, 2020  
Revised: December 8, 2021

LEGAL REFS.: 15 U.S.C. 1681 et seq. (*Fair Credit Reporting Act*)  
20 U.S.C. 6312 (c)(6) (*teacher licensure requirements under Every Student Succeeds Act*)  
42 U.S.C. 653 (a) (*Personal Responsibility and Work Opportunity Reconciliation Act*)  
28 C.F.R. 50.12 (b) (*notification requirements regarding fingerprints*)  
C.R.S. 2-4-401 (3.4) (*definition of gender expression*)  
C.R.S. 2-4-401 (3.5) (*definition of gender identity*)  
C.R.S. 2-4-401 (13.5) (*definition of sexual orientation*)  
C.R.S. 8-2-126 (*limits employers' use of consumer credit information*)  
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 (*inquiries prior to hiring*)  
C.R.S. 22-2-119.3 (6)(d) (*name-based criminal history record check - definition*)  
C.R.S. 22-32-109 (1)(f) (*Board duty to employ personnel*)  
C.R.S. 22-32-109 (1)(pp) (*annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs*)  
C.R.S. 22-32-109.7 (*duty to make inquiries prior to hiring*)  
C.R.S. 22-32-109.8 (*non-licensed personnel - submittal of fingerprints and name-based criminal history record check*)  
C.R.S. 22-32-126 (*principal's role in hiring and assignment*)  
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 *(types of teacher licenses issued)*  
C.R.S. 22-61-101 *(prohibiting discrimination)*  
C.R.S. 22-61-103 *(requirement for teacher's oath or written pledge)*  
C.R.S. 22-63-201 *(licensure required)*  
C.R.S. 22-63-202 *(employment contracts and mutual consent placement)*  
C.R.S. 22-63-206 *(transfers)*  
C.R.S. 24-5-101 *(effect of criminal conviction on employment)*  
C.R.S. 24-34-301 (3.3) *(definition of gender expression)*  
C.R.S. 24-34-301 (3.5) *(definition of gender identity)*  
C.R.S. 24-34-301 (7) *(definition of sexual orientation)*  
C.R.S. 24-34-402 (1) *(discriminatory and unfair employment practices)*  
C.R.S. 24-34-402.3 *(discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted "in a conspicuous place" accessible to employees)*  
C.R.S. 24-72-202 (4.5) *(definition of personnel file in open records law)*

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity  
GCKAA\*, Teacher Displacement

Fountain-Fort Carson School District #8, Fountain, Colorado