
MODEL PROCEDURES ON PERSONNEL RECRUITMENT, SELECTION, APPOINTMENT, AND BACKGROUND CHECKS

Recruitment

1. The board seeks to strengthen recruitment of educators within historically excluded groups.
2. All personnel will be recruited by the district's administrative staff under the immediate direction of the superintendent.
3. Written or electronic applications will be required of candidates for employment. The application will include a warning to the applicant that falsification of information on the application or during the application process will be grounds for dismissal if the applicant is hired. The district will make reasonable efforts to give equitable access to the application process.
4. After the initial written or electronic application process is complete, applicants selected for an interview will be required to provide a statement identifying any criminal charges brought against the applicant, including the date of each charge, the court where the charge was filed and the disposition of the charge. The statement shall also include a warning to the applicant in bold print that falsification of information or the omission of information on the statement may constitute grounds for dismissal if the applicant is hired. In reviewing a criminal background check, the district will consider issues of historical inequity. Any job offer shall be made contingent on the candidate successfully completing the school district's background check process.

Selection

1. It is the policy of the board to select employees solely on the basis of character, professional qualifications, and critical job requirements. Employees will be selected in a manner that does not unlawfully discriminate. The superintendent shall require that all applicants, as a condition of employment consideration, cooperate fully with background investigations, supplying references and releases so the district can contact previous employers. Applicants the superintendent is prepared to recommend for employment will be expected to provide fingerprints, releases, and other information necessary to conduct background investigations. The costs of such checks will be borne by the prospective employee. All offers of employment shall be contingent on the candidate's successful completion of the background investigation process and a finding that the information provided by the applicant during the pre-employment process was accurate, complete, and truthful.
2. The superintendent shall request a criminal record check through the Vermont Criminal Information Center (VCIC) on any candidate the superintendent intends to appoint or is prepared to recommend for appointment. Requests will be made for fingerprint-supported criminal records from the FBI as well as criminal records from the state of Vermont and any state in which the superintendent knows the applicant has resided, or been employed. The superintendent shall maintain such records in accordance with state law.
3. The superintendent shall also request information through any available abuse registry to determine whether there are any substantiated abuse/neglect charges and/or sex offense against an applicant before appointing or nominating a candidate for employment. The superintendent shall maintain such records in accordance with state law.
4. Employment conditioned on the completion of a background check may be terminated if it is determined that the employee failed to respond truthfully to questions about criminal activity or prior employment. In any event the Superintendent shall forward the information received from VCIC to the person about whom the request was made and inform the person of their rights to

challenge the accuracy of the record and to determine the disposition of the record under 16 V.S.A. §§ 255(f), (g).

5. Providing a safe learning environment for students is a primary consideration in district employment decisions. The district will base such decisions on all relevant information, qualifications, and circumstances. Unfavorable background check information is not an automatic bar to employment, nor is a background check with no unfavorable information a guarantee of employment. However, no person convicted of a sexual offense requiring registration on the Vermont comprehensive sex offender registry shall be employed by the school district or supervisory union.

Appointment

1. The appointment of licensed employees will be made by the board subject to the nomination of candidates by the superintendent of schools.
2. Subject to any pre-employment screening processes approved by the board, the superintendent shall appoint all non-licensed employees to be employed by the school district or supervisory union.
3. Contracts of employment or other notification of employment will be conditional pending receipt of criminal records check information and evaluation of that information.
4. Upon completion of a criminal records check, the superintendent shall:
 1. notify the person subject to the check about the district's protocol for maintenance of criminal history files, and
 2. ask the person subject to the check to indicate if the record should be maintained or destroyed after the retention period specified in the District's user agreement with VCIC.
5. Employees who have been employed for fewer than two years in Vermont public schools are considered probationary teachers and may be offered a probationary contract.
6. All offers of employment may be withdrawn based on the criminal records check report or upon a finding that the information provided by the applicant during the pre-employment process was inaccurate, incomplete, or untruthful.