

RECRUITMENT AND SELECTION

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

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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.

LEGAL REFERENCES**State**

Ed. Code 200-262.4

Ed. Code 35035

Ed. Code 44066

Ed. Code 44259

Ed. Code 44750

Ed. Code 44830-44831

Ed. Code 44858

Ed. Code 44859

Ed. Code 45103-45139

Ed. Code 49406

Gov. Code 12900-12996

Gov. Code 7920.000-7930.215

Gov. Code 815.2

H&S Code 53570-53574

Lab. Code 432.3

Description

Prohibition of discrimination

Powers and duties of the superintendent; transfer authority

Limitations on certification requirements

Teaching credential, exception; designated subjects; minimum requirements

Teacher recruitment resource center

Employment of certificated persons

Age or marital status in certificated positions

Prohibition against certain rules and regulations regarding residency

Employment; classified employees

Examination for tuberculosis

Fair Employment and Housing Act

California Public Records Act

Liability of public entities and public employees

Teacher Housing Act of 2016

Salary information

Federal

20 USC 1681-1688

28 CFR 35.101-35.190

34 CFR 106.51-106.61

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

Description

Title IX of the Education Amendments of 1972; discrimination based on sex

Americans with Disabilities Act

Nondiscrimination on the basis of sex in employment in education program or activities

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended

Freedom of Information Act

TUSD Adopted: 12.10.96

TUSD Revised: 5.14.24

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5 USC 552

8 USC 1324a

8 USC 1324b

Unlawful employment of aliens

Unfair immigration related employment practices