

RECRUITING AND HIRING

The Board of Education believes that the quality of the district's employees in large part determines the quality of the education offered to the district's students. As the employer for the school district, the Board will provide and maintain qualified and certified instructional and support personnel to carry out the educational programs of the district.

The Superintendent shall implement and maintain a high-quality recruiting and hiring program to attract, secure and retain the best-qualified staff to meet the needs of students and the district.

New or Revised Positions

The Superintendent will develop recommended qualifications for all new positions in the district and review the qualifications for all existing positions as necessary. The Board must approve the qualifications for all new positions in the district and revisions of the qualifications for existing positions.

The Superintendent shall refer all proposals for the creation or reclassification of all unclassified (non-instructional) positions and a statement of the duties for these positions to the Albany County Civil Service Department for classification.

The Superintendent shall develop job descriptions that incorporate the qualifications and job duties for all positions in the school district.

Recruiting

The district will seek the most qualified candidates for vacant positions by recruiting from a variety of sources, including present staff. District employees may apply for all positions for which they meet the certification and other stated qualifications.

The Board and its employees will adhere to the practice of recruiting and hiring personnel without regard to race, color, sex, national origin, religion, disability, or any other personal characteristic protected under federal, state, or local law.

The Board will practice due diligence in finding the most qualified persons for any open positions. The Board recognizes that some specialized positions are difficult to fill because of shortages of qualified candidates. In rare instances, the Board may need to hire a retired public employee, in which case it will follow the Commissioner's regulations for securing a §211 waiver. When recruiting for an open position the Board will first undertake a thorough and good faith search for a certified and qualified individual who will not require such a waiver for employment

Hiring

Through standard recruiting and hiring procedures, the Superintendent will ensure that candidates for district employment meet all the qualifications set for the position sought through collection of the necessary documentation and certificates as evidence of qualification. The district will comply with all the requirements of the Education and Civil Service laws, including any fingerprinting requirements.

The Superintendent will recommend individuals for employment in the school district. The Board must approve of all individuals who are employed by the school district. The Superintendent has the authority to hire provisional employees in unanticipated situations pending Board action at the next meeting.

The Superintendent will conduct an ongoing review to assure that credentials are maintained.

Ref: Age Discrimination in Employment Act (ADEA), 29 USC §§ 621 *et seq.* (prohibiting discrimination on the basis of age)
 Americans with Disabilities Act (ADA), 42 USC §§ 12101 *et seq.* (prohibiting discrimination on the basis of disability)
 Civil Rights Act of 1964 (Title VII), 42 USC §§ 2000e *et seq.* (prohibiting discrimination on the basis of color, national origin, race, religion and sex)
 Rehabilitation Act of 1973 (Section 504), 29 USC § 794 (prohibiting discrimination on the basis of disability)
 Title IX, 20 USC §§ 1681 *et seq.* (prohibiting discrimination on the basis of sex)
 New York State Constitution, article V, § 6 (requiring public employees be appointed on the basis of merit and fitness)
 Civil Service Law §§ 22, 40-44, 61(1) (rules on classified positions)
 Education Law §§ 1604(8), 1709(16), 2503(3), 2554(2), 3012(1)(a) (board's authority to hire employees)
 Education Law §§ 1604(39), 1709(39), 1804(9), 1950(4), 2503(18), 2554(25) (fingerprinting requirements)
 Executive Law §§ 290 *et seq.* (prohibiting discrimination on the basis of age, color, creed, disability, marital status, national origin, race or sex)
 8 NYCRR § 80-5.5 (§211 waiver process)

First Reading: November 9, 2009

Adoption date: December 14, 2009