Policy

SUPPORT STAFF RECRUITMENT AND HIRING

Issued 8/10

Purpose: To establish the basic structure for the recruitment and hiring of support staff.

It will be the policy and practice of this school district to recruit, hire, train and promote employees on the basis of individual merit. In addition, it will be the policy of the district to provide equal employment opportunities to all persons without regard to race, color, creed, sex, age, national origin, religion or disability, pregnancy (including childbirth and other related medical conditions), age, sex, sexual orientation, gender identity status, spousal affiliation, or any other protected characteristic as may be required by law. The district will make reasonable accommodations for an individual who is otherwise qualified for a position unless the accommodation would impose an undue hardship on the district.

The district will maintain an effective recruitment program designed to attract, secure and maintain the highest qualified persons for all positions. The recruitment methods that may be considered as appropriate include such things as the following.

- advertisement in local, state and regional newspapers
- internal and external searches
- inquiries and referrals
- professional contacts with community organizations that promote the interests of minority groups
- posting on the district's website
- other appropriate methods as determined by the chief human resources officer

Applications for employment will be provided to anyone who makes a request. Once this application is complete and all items requested are submitted, the individual becomes a candidate for employment. The chief human resources officer or his/her designee will review the qualifications of the applicant based on the information obtained during the application process. Through this process, applicants who are determined highly qualified for employment will be referred to the appropriate administrator of the unit where a vacancy exists. Once all interviews are complete, a candidate will be selected on the basis of the application, reference materials and the personal interviews and an offer of employment will be made by the appropriate administrator after consultation and agreement with the chief human resources officer. All offers of employment are
contingent upon successful completion of a criminal background check that is satisfactory as determined by the chief human resources officer or his/her designee.

**SC Law Enforcement Division (SLED) background checks**

The district will obtain a name-based criminal record history check on all new employees from the SC Law Enforcement Division (SLED) prior to their initial employment. The costs for the background checks for new employees will be paid by the state and/or the district.

The district will consider the results of all criminal record history checks on an individual basis and will determine how the information obtained impacts the individual's ability to be an effective employee. When determining the appropriateness of offering employment to an individual, the administration will give consideration to such things as severity of the offense, age of the individual, direct impact of the offense on children, length of time since conviction or plea, restitution, conduct or remedial actions during probation, and participation in pre-trial intervention and/or expungement.

At a minimum, the district will not employ individuals who have been convicted of or who plead guilty to a violent crime as defined in SC Code Ann. Section 16-1-60. Additionally, when making employment decisions, the district will carefully consider information that could result in the revocation or suspension of a professional certificate "for-cause" as defined in SC Code Ann. Section 59-25-160.

**National Sex Offender Registry checks**

The district will perform a background check on the National Sex Offender Registry, which may be accessed online at no charge, on all new employees, whether employed on a full-time, part-time, regular, interim or temporary basis, and on all volunteers, including coaches, mentors, chaperones and those serving in any other capacity resulting in direct interaction or contact with students.

Individuals whose names appear on the National Sex Offender Registry will not be permitted to serve in the district in any capacity. Additionally, the district will not employ individuals or allow individuals to volunteer in any capacity, who have been required to register as sex offenders pursuant to SC Code Ann. Section 23-3-430. Should an individual whose name appears on the National Sex Offender Registry wish to provide additional information relevant to his/her designation on said registry, the district will consider the matter on a case-by-case basis.

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The Immigration Reform and Control Act of 1986 (P.L. 99-603) prohibits employers from hiring aliens not legally eligible to work in the United States. It requires all new employees to present evidence of employment eligibility and requires employers to verify that eligibility. Newly hired employees must complete the form no later than three days following their first working day.

The superintendent will notify the board of newly hired support staff as part of the personnel ratification portion of the board’s agenda.

Any unsuccessful applicant for employment having reason to believe he/she was not a successful applicant because of race, color, creed, sex, age, national origin, religion or disability may have his/her grievance heard according to the procedure set forth in the district’s grievance policy.

Should a vacancy occur in a position during the year, the board authorizes the superintendent to fill such vacancies for the remainder of the school year in which the vacancy occurs pursuant to a letter of agreement, when appropriate. The superintendent or his/her designee may determine whether advertising the vacancy is necessary or whether the position may be filled through some other means.

The superintendent is authorized to hire retired employees to work in the district on an "as needed" basis when their employment would serve the best interests of the school district. In such cases, the superintendent will notify the employee of the at-will status of his/her employment. The continued employment of retired employees will be at the discretion of the superintendent, who will make such decisions in the best interests of the district. The decision to employ or not employ retired employees will not be subject to the district’s grievance procedures.

Through its employment policies and procedures, the district will strive to attract, secure, and retain the highest qualified personnel for support positions. The superintendent employs all support staff.

It is the superintendent’s responsibility of the superintendent or his/her designee to ensure that all persons employed meet the qualifications established for the particular position. The superintendent will establish an interview and selection procedure that will allow principals or supervisors an opportunity to be actively involved in the selection of an employee for their school/department. However, the superintendent will make or approve the final selection.

The superintendent will consider all candidates based on the needs of the district as well as on their merits and qualifications. The district will not discriminate or give preferential treatment with regard to race, age (40 or older), national origin, sex (including pregnancy), disability.
The district will not employ any candidate without a personal interview by the appropriate supervisor.

Federal and state laws prohibit employers from hiring aliens not legally eligible to work in the United States. They also require all new employees to present evidence of employment eligibility and require employers to verify that eligibility.

The superintendent will notify the board of newly hired support staff as part of the personnel ratification portion of the board's agenda.

Any unsuccessful applicant for employment having reason to believe he/she was not a successful applicant because of race, color, creed, sex, age, national origin, religion or disability, religion, national origin, disability, pregnancy (including childbirth and other related medical conditions), age, sex, sexual orientation, gender identity status, spousal affiliation or any other protected characteristics as may be required by law may have his/her grievance heard according to the procedure set forth in the district's grievance policy.

Should a vacancy occur in a position during the year, the board authorizes the superintendent to fill such vacancies for the remainder of the school year in which the vacancy occurs pursuant to a letter of agreement, when appropriate. The superintendent or his/her designee may determine if advertising the vacancy is necessary or whether the position may be filled through some other means.

The superintendent is authorized to recommend retired employees for hire to work in the district on an “as needed” basis when their employment would serve the best interests of the school district. In such cases, the superintendent or his/her designee will notify the employee of the at-will status of his/her employment. The continued employment of retired employees will be at the discretion of the superintendent, who will make such decisions in the best interests of the district. The decision to employ or not employ retired employees will not be subject to the district's grievance procedures.

For required criminal record checks on new employees, see policy GBEBDA* Criminal Record Checks.

Cf. GBEBDA*

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Adopted 4/25/78; Revised 5/14/85, 4/21/92, 1/26/93, 9/13/05, 8/10/10, ^

Legal References:

A. Federal Law:
   7. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A Section 2000e, et seq. - Prohibits discrimination in hiring based on race, color, national origin, religion or sex.

B. S. C. Code, 1976, as amended:
   1. Section 1-1-550 - School districts shall give preference to employment of honorably discharged veterans.
   2. Section 59-1-520 - Intervention by State Department of Education for non-compliance.
   3. Section 59-18-1300 - Principals should be actively involved in the selection, discipline, and dismissal of personnel in their particular school.

C. State Board of Education Regulations:

Legal references:

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United States Code:


42 U.S.C. 2000e, et seq. — Prohibits discrimination in hiring based on race, color, national origin, religion or sex.


Public Law 107-110—No Child Left Behind, revised Elementary and Secondary Education Act (ESEA) of 2001, Title 1, Part A, Subpart 1, Section 1119—Qualifications for teachers and paraprofessionals.


Code of Federal Regulations:


S.C. Code, 1976, as amended:

Section 1-1-550—School districts shall give preference to employment of honorably discharged veterans.

Section 59-18-1300—District accountability system.

Section 9-1-2210—Teacher and Employee Retention Incentive Program; operation.

Section 9-1-1790—Amount which may be earned upon return to covered employment.

South Carolina Illegal Immigration Reform Act (Act 280 of 2008).

Section 16-1-60—Violent crimes defined.

Section 23-3-115—Fees for criminal record searches conducted for charitable organizations.

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Section 23-3-130 - Determination of information to be supplied and methods of evaluation and dissemination; promulgation of rules and regulations.

Section 23-3-430 - Sex offender registry; convictions and not guilty by reason of insanity findings requiring registration.

Section 59-19-117 - Background checks.

Section 59-25-150 and 160 - Revocation or suspension of certificate; "just cause" defined.

State Board of Education Regulations:

R-43-209 - Support personnel/paraprofessional personnel positions, qualifications and duties.