

RECRUITING & HIRING TEACHERS

The Jamestown Public School District is committed to hiring teachers who will best meet the needs of the District consistent with budget limitations, with district policy, with its goal to ensure student and staff safety, and in compliance with state and federal law. Nothing contained in this policy requires the District to fill a teaching vacancy. The Superintendent is authorized to end the advertising and screening processes in this policy at any time based on the needs of the District; however, once the District offers a teaching contract, it cannot retract this offer without the consent of the teacher receiving the job offer.

Definitions

For the purposes of this policy:

- *Crime against a child* is defined in accordance with NDCC 15.1-13-26.
- *Immediate family* is defined as the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and any member of the employee's household.
- *Teaching positions* are jobs held by individuals licensed to teach in North Dakota who are employed primarily as classroom teachers.
- *Sexual offense* is defined in accordance with NDCC 15.1-13-26.

Advertising Protocol

When the District seeks to fill a teaching position, the Superintendent or designee:

1. Shall develop an announcement with the following components:
 - a. Minimum qualifications including, but not limited to, required education, licensure, competencies, and successfully passing any required background or criminal history record checks;
 - b. Instructions on where to access the position's job description, this policy, and any other application material;
 - c. An Equal Employment Opportunity statement.
2. May post the announcement internally; internal teaching announcements shall contain all items listed under #1, a statement that internal applicants are ineligible for Veterans' Preference, and the deadline for internal applicants to exclusively submit applications if appropriate.
3. May post the announcement externally using methods deemed reasonable, effective, and within budget parameters; external teaching announcements shall contain all items listed under #1, a statement that external applicants are eligible for Veterans' Preference if meeting requirements in state law, and a closing date.

Screening Protocol

The Superintendent or designee should develop regulations, including adjudication standards, for conducting background and criminal history record checks on teachers.

Teaching applicants must meet minimum qualification requirements contained in the job announcement and job description. Teaching applicants are disqualified from employment if meeting the disqualifying factors listed in this policy. If no

applicant is qualified, the Superintendent or designee may revise the announcement and shall repost the opening in accordance with this policy's advertising protocol.

The Superintendent or designee shall verify that any applicant claiming Veterans' Preference has satisfied eligibility requirements in law, including submission of required documentation.

Applicants eligible for Veterans' Preference who are not recommended for hire shall receive notice in accordance with NDCC 37-19.1-02.

Disqualifying Factors

Factors that may exclude an applicant from employment as a teacher include, but are not limited to, the following:

1. The applicant has been charged with a felony, sexual offense, crime against a child, any other offense involving a child victim, or any other crime that the Superintendent or designee has reason to believe poses a safety risk to district students, staff, or operations or could substantially disrupt district operations.
2. The employment would create a direct supervisor-subordinate relationship with an immediate family member who is also an employee. Employees who marry or become members of the same household may continue employment; however, a direct supervisor-subordinate relationship between the employees shall be avoided.
3. Knowing falsification or omission of any information given to the District by an applicant or made by an applicant during the applicant screening process including, but not limited to, information concerning criminal convictions or pending criminal charges.
4. The individual has not met ESPB's standards for teaching licensure and/or will not have obtained a teaching license by the start of the school year.
5. The individual was discharged from a previous teaching position.

Hiring Authority

The Superintendent or designee(s) shall screen and make recommendations to the Board about offering an applicant a teaching position.

Final Applicant Rights

Records obtained by the District for background checks, criminal history record checks, and other record checks will be used solely for purposes that they were requested and will only be disseminated and retained in accordance with the district's personnel records policy. Applicant rights related to criminal history records are contained in DBAC-E2.

Issuing Contracts

If the Board approves hiring a new teaching staff member contingent upon satisfactory adjudication of criminal history records or obtaining a teaching license, the individual's teaching contract shall be issued with language notifying him/her of this contingency.

Complementing Policy

DI, Personnel Records

End of Jamestown Public School District Policy DBAC Adopted: 4/16/2018