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FILE: GCD
Critical

EXPLANATION: PROFESSIONAL STAFF RECRUITING AND HIRING

This policy was revised to address the requirements of Senate Bill 997 (2016), which requires public employers to adopt a policy "that provides up-to-date, accurate and complete information to each new employee regarding eligibility for public service loan forgiveness." The new statute requires the policy to be adopted by April 1, 2017. Information must be provided to new employees within ten days of beginning employment. Current employees must receive the information by June 30, 2017. The Missouri Department of Higher Education is required to develop the information the district is required to provide, which can be found at: <http://dhe.mo.gov/resources/publicserviceemployees.php>. The following is a sample notice districts could use:

Notice Regarding Public Service Loan Forgiveness

In accordance with state law, the Camdenton R-III School District is required to provide all new employees with information regarding eligibility for the Public Service Loan Forgiveness Program. Employees who work full-time in a public school district might be eligible for this program. The Public Service Loan Forgiveness Program forgives the remaining balance on Direct Student Loans for borrowers after they have made 120 qualifying monthly payments under a qualifying repayment plan, as long as the borrower is not in default. For more information about the program and to determine whether you are eligible under this program, go to the Missouri Department of Higher Education's website at:

<http://dhe.mo.gov/resources/publicserviceemployees.php>.

MSBA has also clarified some of the language in this policy and added subheadings to make the policy easier to read.

In addition, MSBA has added language regarding the employment of persons who do not have full certification in the area in which they are working. For example, if a teacher or other applicant for a certificated position does not have a certificate at the time he or she is employed, MSBA recommends that the district make the employment contract conditional on the certificate or license being received by a specific date. This will assist in those hopefully rare situations where a teacher fails the content assessment or for some other reason does not obtain the certification as expected.

MSBA has also revised the section regarding employment contracts to more specifically apply to contracts issued when an employee is initially hired, as opposed to renewed.

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MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
X	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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PROFESSIONAL STAFF RECRUITING AND HIRING

Because an effective educational program requires quality staff members, the Board and the administration of the Camdenton R-III School District will make every effort possible to attract and retain the best-qualified, highly skilled and experienced personnel. ~~The Board of Education will employ personnel in accordance with law.~~

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. All teachers and administrators must have valid certification to teach in Missouri schools or, when employment of a person without appropriate certification is unavoidable or necessary as determined by the district, must obtain the appropriate certification by a district-specified deadline. The district is an equal opportunity employer and hires only citizens of the United States and persons who are legally authorized to work in the United States. The Camdenton R-III School District will enroll and actively participate in a federal work authorization program in accordance with law.

A majority of the Board must vote to employ any person or enter into an employment contract.

Recruiting and Advertising

Efforts will be made to recruit the best-qualified candidate for the position. New or vacant positions will be posted for at least five business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or designee. However, if the superintendent or designee determines that it would be detrimental to wait five business days or that a longer period is necessary, the position will be advertised for as many the number of days as is deemed appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the position. A position is not considered vacant if the Board, superintendent or designee transfers or assigns an existing employee to the position, subject to Board approval.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for new or vacant positions in the district.

All requests for information concerning professional staff vacancies in the district shall be directed to the assistant superintendent. –

Screening Process

Persons interested in positions in the district must complete a formal application and provide all necessary information requested by the assistant superintendent. The assistant superintendent shall conduct interviews, review references and obtain other information as deemed necessary. A personal interview with the assistant superintendent is required. In case of persons summoned for the purpose of an exclusive interview with the superintendent, traveling expenses may be assumed by the school district.

The assistant superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

All applications received are kept on file until December 31. Should a person desire to have his or her application considered for a second time, a new application form will be required. All known vacancies are filled on or before June 1, whenever possible, and vacancies arising during the summer are filled as soon as possible after such vacancies occur.

Any applicant who provides false information or inaccurate academic credentials will immediately be removed from consideration.

Hiring

A position other than the superintendent's position will be filled by the Board of Education only after receiving the recommendation of the superintendent or assistant superintendent. It is the policy of the Board of Education to employ highly-qualified teachers with post-secondary degrees from fully accredited universities and the appropriate teaching certificates. In making recommendations, the superintendent or assistant superintendent shall give first consideration to applicants who, in addition to proper general education qualifications, have special training and other qualifications for the particular type of vacancy to be filled. If a candidate is not acceptable to the Board, the superintendent or assistant superintendent should recommend another candidate.

Before the Board votes to employ an applicant in a position that requires a certificate or other professional license, the superintendent or assistant superintendent will verify that the applicant currently possesses the appropriate license or certification. **Upon the recommendation of the superintendent or designee, the Board may approve the employment of an applicant to a certificated position for which the individual does not have a current certificate, but the employment will be conditioned upon the applicant completing the certification process by a district-specified deadline.** The superintendent or assistant superintendent will also reverify licenses and certifications once they are renewed. ~~Any applicant found to have presented any document referencing fake academic credentials will immediately be removed from consideration.~~

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All applicants **for a particular position** will be promptly notified once a decision has been made on the position **has been filled**. ~~As required by law, probationary teachers, principals, assistant principals and other certificated employees in positions ineligible for tenure, except the superintendent, shall be notified in writing concerning re-employment on or before April 15 of the year in which the current contract expires.~~

~~A spouse of a Board member will only be hired to fill a vacant or new position if the position has been advertised in accordance with this policy and if the superintendent has submitted a written recommendation supporting the employment of the spouse. If the spouse of a Board member is hired, the names of all applicants for that position as well as the name of the individual hired will be included in the appropriate Board minutes.~~

Board Members

The district will not accept an application of employment from a Board member, consider a Board member for employment or decide to employ a Board member while the member remains on the Camdenton R-III School District Board of Education. Board members who wish to apply for employment in the district must first resign from the Board.

Spouses of Board Members

In accordance with law, a Board member's spouse will only be hired to fill a vacant or new position if the position has been advertised in accordance with this policy and the superintendent has submitted a written recommendation supporting the employment of the spouse. If a Board member's spouse is hired, the names of all applicants for that position and the name of the individual hired will be included in the appropriate Board minutes.

Critical Shortage of Teachers

If the district determines that it has a shortage of certificated teachers, the district may hire retired certificated teachers receiving retirement benefits from the Missouri Public School Retirement System to teach full time for up to two years without loss of benefits to the teacher; if the district meets the requirements set by state law. The district may only hire retired teachers under this program if it has:

1. Made a good-faith effort to fill positions with candidates who have not retired.
2. Not offered early retirement incentives for either of the previous two years.
3. Posted the vacancy for at least one month and solicited applications through local newspapers, other media or teacher education programs.

4. Determined that there is an insufficient number of eligible applicants.
5. Declared a critical shortage of certificated teachers that is active for one year.

The total number of retired teachers hired under this section cannot exceed at any one time the lesser of ten percent of the total teacher staff in the district or five certificated teachers. This provision does not apply to a retired certificated teacher employed as a superintendent.

Teachers holding a Missouri PCI or PCII certification are responsible for meeting the requirements for certification upgrade and submitting a current upgraded certificate to the superintendent's office.

Contracting

~~Probationary teachers, principals, assistant principals and other certificated employees in positions ineligible for tenure, except the superintendent, will receive a contract no later than May 15 of the year in which the current contract expires. Once such an employee has received a contract, the employee will have 15 calendar days to sign and return the contract or the contract shall be deemed to have been rejected.~~

~~Tenured teachers shall be notified in writing by May 15 regarding the beginning date and length of the next school year and the amount of compensation to be received for the next school year as provided by the salary schedule adopted by the Board. A tenured teacher who does not notify the district of his or her intent to leave the district by June 1 is contractually bound to the district for the pecoming school year.~~

Employment Contracts

The district will only offer employment contracts to certificated employees who are required by law to receive a contract. All other professional staff employees will be considered at-will employees and will not be offered contracts.

All employment contracts will comply with applicable law. The superintendent or designee is authorized to seek legal advice regarding district employment contracts.

When an employee is initially offered employment, he or she will be given a written copy of the applicable contract and a deadline by which the signed contract must be returned to the district.

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Eligibility for Public Service Loan Forgiveness

In accordance with law, the district will provide current, accurate and complete information to each new employee regarding eligibility for public service loan forgiveness. The notice will be provided within ten days following the start of employment.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 08/08/1994

Revised: 09/13/1999; 06/13/2005; 12/12/2005; 08/10/2009; 09/13/2010; 01/10/2011; 05/09/2011;

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
BBFA, Board Member Conflict of Interest and Financial Disclosure
DD, Grants
DGA, Authorized Signatures

MSIP Refs: 5.1, 8.4

Legal Refs: §§ 105.255, 1445, 162.261, .301, 168.101 - .133, 169.331, .596, 213.010, .055, .070, 285.530, 290.400 - .410, 335.075, RSMo.
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681
Equal Pay Act, 29 U.S.C. § 206(d)
Age Discrimination in Employment Act, 29 U.S.C. §§ 621 - 634
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794
Family and Medical Leave Act, 29 U.S.C. § 2615
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e - 2000e-17
Genetic Information Nondiscrimination Act, 42 U.S.C. §§ 2000ff - 2000ff-11
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

Camdenton R-III School District, Camdenton, Missouri