

Human Resources

Hiring Policy

Purpose:

The Gadsden Independent School District is committed to ensuring equal employment opportunity which means that job applicants will be required to compete for positions on the basis of job-related criteria and qualifications. The goal of the District's personnel recruitment and hiring process shall be to achieve a highly qualified and balanced workforce. The primary objectives of the hiring process are: (1) recruitment of the best qualified candidates, matching the qualifications of the candidates to the needs, requirements and criteria of the job; (2) expeditious placement of qualified candidates into vacant positions; and (3) fair, equitable and unbiased treatment of all candidates in the recruitment and hiring process. The following policy shall be observed in connection with the recruitment and hiring of employees of the Gadsden Independent School District.

Participants:

All applicants for employment and current employees.

Process:

- I. **Hiring of the Superintendent and Other Personnel.** Pursuant to NMSA 1978, § 22-5-4 (2003), the School Board shall hire and fix the salary of the Superintendent, who shall serve as the Chief Executive Officer of the School District. Pursuant to NMSA 1978, § 22-5-14(B)(3) (2003)) the Superintendent of Gadsden Independent Schools shall employ, fix the salaries of, assign, terminate or discharge all employees of the School District.
- II. **Equal Employment Opportunity.** With certain exceptions stipulated to below, the District shall adhere to a policy of equal employment opportunity for all employees. The District shall not fail or refuse to hire or discharge, nor shall it otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, nor shall the District limit, segregate, or classify its employees, or applicants for employment, in a way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the individual's status as employee, on the basis of an

individual's race, color, religion, sex, sexual orientation, gender identity, national origin, or age.

As an exception to the District's equal employment opportunity policy stated herein, the Superintendent may employ an individual on the basis of the individual's religion, sex, national origin, or age in those certain instances where religion, sex, national origin or age is a bona fide occupational qualification reasonably necessary to the operation of the educational program or the business of the School District.

III. Disabled Individuals. The District shall not discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, hiring advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. For purposes of this paragraph, a "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

IV. Recruitment. The Board, within the limits of its budget and the approved salary schedule, is committed to the policy of recruiting and retaining the most qualified personnel for all vacant or available employment positions. The Superintendent shall institute procedures to recruit the best qualified personnel for such positions. In filling existing vacant positions within the School District, preference will be given to recruiting existing employees of the School District over non-employees to fill a vacant position, as long as the existing employee meets the criteria for the vacant position. Vacant positions shall be advertised on the District's web site and posted internally at either the Human Resources Office or Central Administration Office. Vacant positions may also be posted at various locations at the individual school sites. In addition to the foregoing, vacant administrative positions and vacant positions that have been difficult to fill may be advertised in newspapers of general circulation within the District. Postings are generally made weekly or bi-weekly. Some positions may be advertised as "open until filled".

V. Applications.

Applications may be accepted on a year round basis. All applicants will become part of the applicant pool and given consideration in filling positions within the District. Applicants will be screened based on information submitted and selected applicants will be invited for an interview. Applications are kept on file for six (6) months. Applications may be reactivated for an additional six months by notifying the Human Resources Office in writing. Applications, job descriptions and requirements, and salary schedules will be available in the Human Resources Office located at the Administration Office. The School District shall adopt an application form that meets the following requirements:

- a) Complete Information. The District's application form should be designed so that it elicits only information which is relevant to the job and the applicants' suitability therefore. The application shall state that it must be fully completed or it will not be considered.
- b) Limited Active Period. The District's application form shall limit the period of time for which the application will be considered as active.
- c) Inquiries as to Ability to Perform Job Functions. The application may contain questions inquiring about whether the applicant can perform the essential job functions of the position for which he or she is applying.
- d) Inquiries About Prior Positions of Employment. The application shall contain a detailed questionnaire soliciting information about the applicant's prior position of employment. This inquiry should include the dates of hire and departure from any prior positions, the reason for departure, the positions held (including job titles and general description of duties, and any transfers or promotions), the salary received (starting and ending), the names and address of the employer and the name of the former supervisor.
- e) Certification of Truthfulness. The application shall contain a statement by the applicant certifying that the information set forth in the application is true, correct, and complete to the best of the applicant's knowledge, and that failure to furnish such information shall be a basis for refusal to hire, or to terminate or discharge, if hired.
- f) At-Will Disclaimer. The application shall explain the at-will policy for the School District, advising those applying for non-certified positions that the employment and contract shall be at-will until the completion of three consecutive years of service. Such language should be placed near to but above the applicant's signature line.
- g) Request a Release to Check Background. The applicant shall complete the acknowledgement, waiver and release form and criminal history affidavit appended to the application.

The questions on the application should not solicit information which could be interpreted as referring to race, marital status, age, sex, sexual orientation, gender identity, religion, national origin or handicap.

VI. Interviews. Interview questions should not solicit or require disclosure of information which could be interpreted as referring to race, marital status, age, sex, sexual orientation, gender identity, religion, national origin or disability. For all regular position vacancies, the Superintendent shall appoint an Interview Committee to: screen the job applications for completeness of the package and to assure the applicant meets the minimum hiring criteria; create a

“short list” of those applicants to be interviewed; send out reference request letters or conduct telephone reference checks; in collaboration with the Human Resources Office, create a standardized interview format and questions; establish what rating process will be used to judge responses during the interview; provide hiring recommendations, along with a rating sheet, ranking the interviewed candidates in order of the Committee’s preference. The Committee shall provide its interview and reference notes and rating sheets to the Human Resources Office which shall preserve them for at least one calendar year.

VII. Testing. In the discretion of the Superintendent, the skills of particular categories of employees may be tested to assess their degree of proficiency in job-related tasks, so long as all applicants for the category of position are tested in like manner. Drug and alcohol testing may be administered to applicants offered employment in safety-sensitive positions in accordance with the policy as to such positions.

VIII. Background Investigation and Reference Checks. Applicants recommended for employment with the District are subject to work history, education history, and reference investigations, including, but not limited to, substitutes and temporary employees. Each such applicant will be subject to a criminal background investigation, including mandatory fingerprinting, at the candidate’s expense, as a condition of further consideration for employment.



*****Parent volunteers/chaperones having unsupervised contact with students are subject to a criminal background investigation, including mandatory fingerprinting, at the candidate’s expense.**

All offers of employment are contingent upon the satisfactory completion of background investigation. Criminal convictions shall not automatically bar an applicant from obtaining employment with the District, but pursuant to the Criminal Offender Employment Act, NMSA 1978, §§ 28-2-3 and 28-2-4, may be the basis for refusing employment.

Criminal background checks, as described above, shall also be conducted upon each contractor or contractor’s employee, at the expense of the contractor or contractor’s employee, if the contractor’s employee is reasonable likely to have unsupervised access to students. In such cases, the continuation of contracts or service by contractor employee’s contracts shall be subject to the satisfactory completion of background checks.

All offers of employment shall be contingent upon successful completion of the

reference and criminal background check process. Failure to satisfactorily complete the process shall form a base for withdrawal of a contingent offer to hire, even if the employee has initiated service with the District.

The Administration may also conduct the referenced background investigations of incumbent employees and the employee shall cooperate with such an investigation, if the Administration becomes aware of facts, circumstances, or conduct that give rise to a reasonable suspicion that previously undisclosed aspects of the employee's background might disqualify him or her to continue employment with the District.

Timeline:

July to June of Current Year

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1. NMSA 1978, § 22-5-4 (2003)
 2. NMSA 1978, § 22-5-14(B)(3) (2003)
 3. NMSA 1978, §§ 28-2-3, and 28-2-4, of the Criminal Offender Employment Act