

Book	Policy Manual
Section	Issue 3 of 2021 August PDQ (Revised)
Title	Professional Staff Hiring
Code	GCD
Status	

### Professional Staff Hiring

The Superintendent determines the District's personnel needs and recommends to the Board properly certified, licensed or registered candidates for employment. Through recruiting and evaluation procedures, the Superintendent recruits and recommends to the Board the employment and retention of personnel.

It is the duty of the Superintendent to see that persons nominated for employment in the schools meet all certification/licensure/registration requirements and the requirements of the Board for the type of position for which the nomination is made.

The following guidelines are used in the selection of personnel.

1. There is no unlawful discrimination in the hiring process.
2. The quality of instruction is enhanced by a staff with widely varied backgrounds, educational preparation and previous experience. Concerted efforts are made to maintain a variation in the staff.
3. Interviewing and selection procedures ensure that the administrator who is directly responsible for the work of a staff member has an opportunity to aid in the selection process. The final recommendation to the Board is made by the Superintendent or by another individual designated by the Board in the event that the Superintendent's nomination of a teacher would create an unlawful interest in a public contract.
4. No candidate is hired without an interview, ~~and~~ a criminal records check and a drug screen.
5. All candidates are considered on the basis of their merits, qualifications and the needs of the District. In each instance, the Superintendent and others having a role in the selection process seek to recommend the best qualified applicant for the job.
6. All candidates for teaching positions must be properly certified or licensed.
7. No candidate is hired prior to the District consulting the educator profile database maintained on the Ohio Department of Education's (ODE) website. After consulting the educator profile database, the District also may consult the office of professional conduct within ODE and/or consult any prior education-related employer of the candidate in accordance with State law.

While the Board may accept or reject a nomination, an appointment is valid only if made with the recommendation of the Superintendent or by another individual designated by the Board in the event that the Superintendent's nomination of a teacher would create an unlawful interest in a public contract. In the case of a rejection, it is the duty of the Superintendent to make another nomination.

#### Employment of Retired Administrators

The Board recognizes that recruiting and retaining properly certified or licensed administrative personnel has become increasingly difficult in Ohio's competitive marketplace. Therefore, the Board will, under appropriate circumstances, offer to enter into administrative employment agreements with qualified retired administrators whenever practical and when such action appears to be in the best interests of the District. Retired administrators may be employed as administrators on a part-time or full-time basis.

For purposes of this policy, a "retired administrator" is an individual who has retired pursuant to STRS or SERS rules and regulations.

The Board authorizes and directs the Superintendent to develop administrative regulations to implement this policy at the soonest practicable time.

#### Rehiring of Retirees

If an employee is retiring and seeks re-employment in the same position, then public notice must be given 60 days prior to the date re-employment is to begin. The notice must state that the person is or will be retired and is seeking re-employment in the District. The notice must include the time, date and location of a public meeting, which must take place 15 to 30 days prior to employment.

#### LEGAL REFS.:

The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
 ORC 2921.42  
 3307.01  
 3307.353  
 3313.53  
 3319.02  
 3319.07  
 3319.074  
 3319.08  
 3319.088  
 3319.11  
 3319.22 through 3319.31  
3319.318  
 3319.39  
3319.393  
 3323.06  
 OAC 3301-35-05

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACB, Nondiscrimination on the Basis of Disability  
GBA, Equal Opportunity Employment  
GBQ, Criminal Records Check  
GDD, Support Staff Hiring

**NOTE:** Procedures pertaining to staff selection (although not recruitment) are appropriately included in a regulation under GCD-R. When regulations differ extensively for teachers and other categories of professional personnel, numerals can be added to the code letters, as explained in the coding note at GCB, Professional Staff Contracts and Compensation Plans.

In 2013, House Bill 59 (HB) added language to Ohio Revised Code Section (RC) 3319.07 that allows the Board to designate someone other than the Superintendent to nominate a teacher for employment if the Superintendent's nomination would create an unlawful interest (conflict of interest) in a public contract pursuant to RC 2921.42.

Senate Bill 216 (2018) replaced "highly qualified teacher" with "teachers who are properly certified or licensed." Effective July 1, 2019 no city, exempted village, local, joint vocational, or cooperative education school district can employ any classroom teacher to provide instruction in a core subject area (reading and English language arts, mathematics, science, social studies, foreign language, and fine arts) to any student, unless such teacher is a properly certified or licensed teacher (requirements are outlined in RC 3319.074). Nor can they employ any paraprofessional to provide academic support in a core subject area to any student, unless such paraprofessional is a properly certified paraprofessional (requirements are outlined in RC 3319.088).

HB 110 (2021) requires District to include the following notice in boldface type in each employment application:

**ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

Districts are required to consult the educator profile database maintained on the Ohio Department of Education's (ODE) website prior to hiring a candidate. Districts may further discern the employment, disciplinary, or criminal record of an applicant by consulting the office of professional conduct within ODE or any prior education-related employers of the individual. Districts may also require additional criminal records checks for any applicant for employment or prospective volunteer. Districts may choose to conditionally employ an individual pending the receipt of this additional information related to prior employment, disciplinary or criminal records. Offers of conditional employment may trigger collective bargaining issues and Districts should consult with legal counsel prior to making any conditional offers of employment.

HB 110 also states that no employee of the District will knowingly assist another person in obtaining employment in a school district or nonpublic school, or in obtaining employment with a county board of developmental disabilities in a position responsible for providing educational services to children from six to 21, if the employee knows or has reasonable cause to believe that the person has committed a sex-related offense involving a student.

**THIS IS A REQUIRED POLICY**

Legal	Elementary and Secondary Education Act; 20 USC 1221 et seq.
	ORC 2921.42
	ORC 3307.01
	ORC 3307.353
	ORC 3313.53
	ORC 3319.02
	ORC 3319.07
	ORC 3319.074
	ORC 3319.08
	ORC 3319.088
	ORC 3319.11
	ORC 3319.22 through 3319.31
	ORC 3319.39
	ORC 3323.06
	OAC 3301-35-05
	OAC 3301-35-06
	OAC 3307.1-13-03