

RECRUITMENT, SELECTION AND HIRING

The Board of Education shall appoint all staff members only from nominations made by the Superintendent. All appointments shall be by recorded roll call majority vote of the full membership of the Board. The Superintendent shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, gender identity and expression, affectional or sexual orientation, marital or civil union status, familial status, liability for service in the Armed Forces of the United States, pregnancy, atypical hereditary cellular or blood trait of any individual, nationality, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job.
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency.
- C. It shall be the duty of the Superintendent to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check that includes a check for conviction for bias intimidation and proof of citizenship or eligible alien status.
- D. As of September 1, 2011 all new public employees in the State of New Jersey shall have their principal residence in the State of New Jersey.
 - 1 A principle residence is defined as:
 - a. Where the employee spends the majority of his/her non-working hours;
 - b. Is clearly the center of the employee's domestic life;
 - c. Is the employee's designated legal address and legal residence for voting.
 - 2 New employees are required to relocate their primary residence within one year of the date of employment.
 - 3 Employees who fail to satisfy the requirement of principal residency within 365 days of their employment shall be deemed unqualified for employment and shall be ousted from the position by a Superior Court judge upon complaint by any citizen, provided such complaint is brought within 1 year of the alleged 365-day period of failure to have his/her principal residence in New Jersey.
 - 4 Any person who is employed as a New Jersey public employee on September 1, 2011, the effective date of the statute, but is not a resident of New Jersey, shall not be subject to the residency requirement of the statute while the person continues to be employed by the district without a break in public service of more than seven (7) days.
 - 5 Any employee may request an exemption to the State Committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision to approve the request shall be made by a majority vote of the Committee. If the Committee fails to act within 30 days after receipt of the request, no exemption shall be granted and the residency requirements shall be in effect.

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The Superintendent is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The Board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the Board of Education and signed by the candidate. It shall be the responsibility of the Superintendent to communicate this fact to all candidates.

The Superintendent may make temporary appointments in emergency situations in accordance with law. These must be ratified by the Board at the next regular meeting.

<u>Legal References:</u>	<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u>	Law Against Discrimination
	<u>N.J.S.A.</u> 18A:6-7.1, -7.5	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:27-4	Power of Boards of education to make rules governing employment of teacher, etc.; employment thereunder
	<u>N.J.S.A.</u> 18A:27-4.1	Appointment, transfer, removal or renewal of officers and employees; exceptions
	<u>N.J.S.A.</u> 18A:39-17 through -20	Names, social security numbers, and certification of bus driver's license and criminal background check ...
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:39-19.1	Powers of Board (county vocational schools)
	<u>N.J.S.A.</u> 18A:54-20	Driver of motor vehicle or trackless trolley with capacity over six passengers; special license
	<u>N.J.S.A.</u> 39:3-10.1	Managing for Equality and Equity in Education
	<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:7-1.4, -1.8	
	<u>N.J.A.C.</u> 6A:24-1.1 <u>et seq.</u>	Urban Education Reform in the Abbott Districts
	42 <u>U.S.C.A.</u> 12101 <u>et seq.</u>	Americans with Disabilities Act (ADA)
	42 <u>U.S.C.A.</u> 2000e <u>et seq.</u>	Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
	29 <u>U.S.C.A.</u> 794 <u>et seq.</u>	Section 504 of the Rehabilitation Act of 1973
	8 <u>U.S.C.A.</u> 1100 <u>et seq.</u>	Immigration Reform and Control Act of 1986
	<u>No Child Left Behind Act of 2002, Pub. L. 107-110, 20U.S.C.A. 6301 et seq</u>	
	<u>Taxman v. Piscataway Bd. of Ed.</u> , 91 F. 3d 1547 (3d Cir. 1996)	
	The Comprehensive Equity Plan, New Jersey State Department of Education	

<u>Cross References:</u>	*2131	Superintendent
	*3000/3010	Concepts and roles in business and non-instructional operations; goals and objectives
	4000	Concepts and roles in personnel
	4010	Goals and objectives
	4123	Classroom Aides (Paraprofessionals)
	*4211.1	Nondiscrimination/affirmative action
	*4212.4	Employee health
	4212.5	Criminal history check
	*4212.6	Personnel records
	*4212.8	Nepotism
	*4219.23	Employee substance abuse
	*4222	Non-instructional aides

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Cross references: (continued)

*6010	Goals and objectives
9123	Appointment of Board secretary
9124	Appointment of business official

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Bias Intimidation, Primary Residence

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