

LODI UNIFIED SCHOOL DISTRICT

Policy 4111
4211
4311

REVISION

Personnel

Recruitment and Selection

I. Statement of Philosophy

~~The Lodi Unified School District Board of Education believes that it is important for all students to have positive experiences with persons from diverse racial and ethnic backgrounds. It is also important for students to observe that women as well as men can assume responsible roles in society. For the minority child, it is especially necessary to have the positive image provided by minority teachers, counselors, administrators and supervisors. It is of equal importance for the student from the majority group to have positive experiences with minority group members at all levels within the school setting. These experiences can be provided in part through the presence of staff members at all levels of responsibility who represent the racial and ethnic diversity of this nation.~~

~~Democratic principles and the richness which racial differences bring to one national heritage can be learned through the presence of multi racial/ethnic school staffs working toward a common goal.~~

The Board of Education is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission, and goals, and believes that students benefit when district staff reflects the racial, ethnic, linguistic, and cultural diversity of the district.

The Superintendent or designee shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected for employment in the district based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures, seek to establish and maintain a diverse staff, including the active recruitment from institutions and

organizations that serve populations underrepresented among district employees.

II. Objectives

Selection of personnel shall be based solely on qualifications, ability, and capacity to contribute to the district.

When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.2)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible candidates for a position. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be confidential and consistent with law.

III. Statement of Policy

The Board maintains as its policy the provision of equal employment opportunity for all persons and the provision of prohibiting discrimination based on race, sex, color, religion, age, physical handicap, ancestry, national origin, political affiliation (except as prohibited by law), or personal matters which do not affect the employee's performance. This policy includes every aspect of personnel policy and practice in recruitment, selection, development, advancement, termination, and other treatment of employees and promotes the total realization of equal employment opportunity.

Unless otherwise provided for in law, the district may not discriminate against a person in hiring based on the person's use of cannabis off the job and away from the workplace, including that the district may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on

a drug screening which finds that the applicant has non-psychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

~~The Board recognizes that the qualifications of all employees are of utmost importance and must be determined before recommendations are made for employment.~~

~~Since those who work for the school district can offer valuable assistance during the selection process, employees shall be provided an opportunity to participate in the process.~~

~~No employee shall interfere with, intimidate, restrain, or otherwise discriminate against any other employee or person who has filed a grievance concerning this policy.~~

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. (Labor Code 432.3)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

Legal References: EDUCATION CODE
200-270 Prohibition of discrimination
35035 Powers and duties of the superintendent ; transfer authority
44066 Limitations on certification requirement
44259 Teaching credential; exception; designated subjects; minimum requirements
44750 Regional teacher recruitment centers

44830-44831 Employment of certificated persons
44858 Age or marital status in certificated positions
44859 Prohibition against certain rules and regulations re
residency
45103-45139 Employment (classified employees)
49406 Examination for tuberculosis
52051 Academic Performance Index
GOVERNMENT CODE
12900-12996 Fair Employment and Housing Act, including:
7920-7930.215 California Public Records Act
815.2 Liability of public entities and public employees
H&S CODE
53570-53574 Teaching Housing Act of 2016
LABOR CODE
432.3 Salary Information
UNITED STATES CODE, TITLE 8
20 USC 1681-1688 Title IX of the Education Amendments of
1972; discrimination based on sex
28 CFR 35.101-35.190 Americans with Disabilities Act
34 CFR 106.51-106.61 Nondiscrimination on the basis of sex in
employment in education program or activities
42 USC 12101-12213 Americans with Disabilities Act
42 USC 2000d-2000d-7 Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17 Title VII, Civil Rights Act of 1964, as
amended
5 USC 552 Freedom of Information Act
8 USC 1324a Unlawful employment of aliens
8 USC 1324b Unfair immigration related employment practices

Policy

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