

Personnel

General Personnel -- Hiring Process and Criteria

The Superintendent or his/her designee is responsible for recruiting personnel, in compliance with Board of Education policy, and making hiring recommendations to the Board of Education. The Superintendent shall develop procedures for the screening of applicants. The District shall hire the best qualified personnel consistent with budget and staffing requirements, and shall comply with Board of Education policy on equal employment opportunities and minority recruitment. Compliance with Board policy on equal employment opportunities and minority recruitment precludes a hiring preference for spouses and relatives of current employees.

The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board of Education's approval.

All applicants must complete a District application form in order to be considered for employment. In addition, applicants must complete the Previous Employment Waiver form, the Mandatory Child Abuse Reporting form, and the Authorization for Technology Access. The applicant must also provide two forms of identification, one of which includes a photo, and a social security card.

Nepotism

The District's standards for employment decisions such as hiring, promoting, reappointing, evaluating, awarding salary, disciplining, and terminating employees are based on qualifications for the position, ability, and performance. The District strives to avoid favoritism, the appearance of favoritism and conflicts of interest in employment decisions.

Employees and applicants for employment shall not be denied employment or advancement opportunities because of their status as a family or household member of another employee. However, no person shall be employed, promoted, or transferred to a position in the District which would create a direct supervisor-subordinate relationship with a relative. District Administrators, supervisors and managers are expected to avoid hiring or transferring individuals to a position which would create a direct supervisor-subordinate relationship with a relative.

Applicants for any position as a new hire, any position as a transfer and/or promotion are expected to notify, in writing, the Board and the District Administration of any relatives employed by the District. Employees that become related to each other during the course of employment must notify, in writing, the Board, the Superintendent, and District Administration within ten days of the commencement of the relationship.

Failure to disclose relative status may be cause for disciplinary action up to and including

termination.

Persons who are employees of the Board on the date that this policy becomes effective shall not be discharged because of this policy. Nor shall they be denied reemployment in succeeding years because of this policy. However, if any person who is a member of the immediate family of a board member or an administrator resigns or is not re-employed for other reasons (except reduction in force), this policy would apply for such period as the individual has such a family relationship under the “relative” definition herein.

In cases where a Board member or District Administrator has a relative being considered for employment or a relative already employed by the District, the Board member or District Administrator shall publicly and in writing disclose the nature and extent of the relationship prior to any deliberations regarding the relative. Such deliberations may include but not be limited to recommendations and/or voting on any matter related to the relative’s hiring, promotion, reappointment, evaluation, transfer, discipline, termination, wages, benefits, hours, and terms or conditions of employment, including a collective bargaining agreement which applies to the relative.

A “supervisor” directly or indirectly assigns, directs or oversees the work product, or recommends or has the authority to discipline, promote, assign salary or review the performance of a “subordinate.”

For the purpose of this policy, the definition of the term “relative” apply both to the applicant for employment in the District and, if legally married at the time of prospective employment, the spouse of such applicant. A “relative” includes the following individuals:

- Spouse
- Mother; step or foster mother
- Father; step or foster father
- Sister; step or half-sister
- Brother; step or half-brother
- Child; step or foster child
- Guardian or Ward
- Grandmother; step or foster grandmother
- Grandfather; step or foster grandfather
- Grandchild; step or foster grandchild
- Aunt or Uncle
- Niece or nephew
- Member of the same household

Physical Examinations

New employees must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease, including tuberculosis. All physical fitness examinations and tests for tuberculosis must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches. The physical examination and the tuberculin tests must have been taken by the employee no more than 90 days before the employee's submitting evidence of same to the Board of Education. The physical and TB test must be on file in the Human Resources Office prior to the first day of work.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches if the examination is job-related and consistent with business necessity. The Board of Education will pay the expenses of any such examination.

Job Descriptions

The Superintendent shall develop and maintain a current, comprehensive job description for each position, other than the Superintendent.

Immigration Investigation

All newly hired employees must complete an Immigration and Naturalization Service Form I-9 no later than 3 business days following their first working day. If an individual is unable to provide the required documents to complete the Form I-9 within the 3-day period, the individual must present a receipt for the application of the documents within 3 days of the hire and present the required documents within 21 days of the hire.

The completed Form I-9 shall be maintained in a file separate from other personnel records in order to prevent unauthorized review of personnel files. The Form I-9 shall be retained for a period of 3 years after the date of hire or one year after individual employment is terminated, whichever is later.

Criminal Background Investigation

All applicants must provide a written authorization for a criminal background investigation:

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Whenever an applicant is seeking employment in concurrent positions in more than one district as either a substitute or part-time teacher or educational support personnel employee, the District

may require that the applicants authorize the Educational Service Region Superintendent who services those school districts to conduct the investigation.

An employee of a person(s) or firm(s) holding contracts with the District (including food service workers, school bus drivers, and other transportation employees) or anyone who has direct, daily contact with students in any of the District's schools must also execute a written authorization for a criminal background investigation. Such an employee is prohibited from working on school grounds if the employee has been convicted for committing or attempting to commit any one or more of the offenses cited in 1-4 below.

The Board of Education shall not knowingly employ a person who has been convicted for committing or attempting to commit any one or more of the following offenses:

1. The Criminal Code of 1961, 720 ILCS 5/ [ch. 38, ¶¶ 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-15, and 12-16].
2. Cannabis Control Act, 720 ILCS 550/1 et seq. [ch. 56 1/2, ¶ 701 et seq.], except 720 ILCS 550/4(a), 550/4(b), and 550/5(a) [ch. 56 1/2, ¶¶ 704(a), 704(b), and 705(a).
3. Illinois Controlled Substances Act, 720 ILCS 570/100 et seq. [ch. 56 1/2, ¶ 1110 et seq.].
4. Any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this state, would have been punishable as one or more of the foregoing offenses.

The Superintendent or his/her designee will keep a conviction record confidential. A copy of the conviction record obtained from the Department of State Police will be provided to the applicant.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, their school's rules and regulations, and the responsibilities of their position.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 12112, 29 C.F.R. Pt. 1630.
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
105 ILCS 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-5 [Ill.Rev. Stat., [ch. 122, ¶¶ 10-20.7, 10-21.4, 10-21.9, 10-22.34b, and 24-5].

Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (1st Dist. Ill. 1985).
Kaiser v. Dixon, 468 N.E.2d 822 (2nd Dist. Ill. 1984).

Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (5th Dist. Ill. 1982).

LEGAL REF.: 775 ILCS 5/1-102, 5/1-103

Boaden v. Dept. of Law Enforcement, 171 Ill. 2d 230, 664 N.E.2d 61 (Ill. 1996)

Hollister v. North, 50 Ill. App. 3d 56, 365 N.E.2d 258 (4th Dist. 1977).

CROSS REF.: 3.50, 5.10, 5.40

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Amended: February 25, 2004

Amended: