

RECRUITMENT AND HIRING OF PROFESSIONAL EMPLOYEES

Waunakee Community School District

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This policy addresses the recruitment and hiring of professional employees in the District. All of the District's recruitment, selection, and hiring practices and procedures are subject to and guided by the District's commitment to nondiscrimination and equal opportunity in employment, as further identified in related School Board policies.

As used in this policy, the term "professional employee" includes all individuals who are hired to fill a position that is an exempt position under the federal Fair Labor Standards Act and that requires the employee to hold a license or permit issued by the Department of Public Instruction (DPI), but does not include (1) on-call substitute employees; (2) special education assistants; or (3) positions requiring a license or permit in one or more of the DPI's administrative categories and for which the individual holds an employment contract under the state law that governs employment contracts held by licensed administrators and certain personnel administrators and supervisors, curriculum administrators, and assistants to such personnel. Any registered nurse employed by the District to work as a nurse in the schools (even if the individual is not licensed as a school nurse) shall also be considered a professional employee under this policy. Some specific examples of "professional employees" include teachers and non-administrators whose positions require licensure in any of DPI's pupil services categories.

The Board, without being bound by any administrative recommendation, is responsible for the final decision to employ a professional employee and to enter into any contract with a professional employee. In making its discretionary employment decisions, the Board may consider any aspect of the individual's candidacy, regardless of whether the administration also assessed such issues and found the candidate acceptable to recommend to the Board for possible employment. To the extent required by law, professional employees will be employed only by a majority vote of the full membership of the Board.

After the Board has voted to employ an individual in a position covered by this policy and approved the terms and condition of any individual employment contract, and also provided that any remaining contingencies have been addressed as required by this policy, the District Administrator, acting as the Board's authorized agent, may execute the employment contract on behalf of the Board.

The Director of Human Resources is responsible for ensuring that the District's practices and procedures surrounding recruitment, selection, and hiring for professional positions address the following:

1. Adequate and timely planning surrounding the District's staffing needs. Such planning shall take into account issues such as changes in the District's programs and curriculum, changes in student enrollment, and anticipated changes among staff (e.g., anticipated attrition, anticipated retirements, etc.);
2. Prior to seeking candidates, identifying and incorporating into the job notice/posting any specific District needs or preferences (e.g., multiple licenses, particular prior experience, etc.) that relate to the duties and responsibilities that the District may assign to the individual selected for the specific position;
3. A reasonably consistent and reliable process for informing potential applicants of openings in professional positions that the District expects to fill;

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4. The use of application screening, candidate assessment, and related selection procedures and materials that are appropriate for the position being filled and that incorporate practices that are intended to identify and emphasize the objective and subjective information that is most relevant to the District's selection decision;
5. Providing appropriate training and guidance to individuals who are involved in the screening, assessment and selection processes;
6. A plan for expediting the recruitment and hiring process in situations where time is of the essence or where some other exceptional need arises; and
7. A process for identifying and employing qualified substitutes, limited-term employees, and other temporary employees whenever needed or whenever determined to be in the District's best interests.

As to the process used to fill all positions addressed by this policy, the following minimum requirements shall be observed:

1. Except where the Board fills a position with either (a) an internal candidate where the change in positions requires a modification to the employee's contract; or (b) a highly-qualified external candidate who was previously identified in connection with the District's recent recruiting for a similar position, the District will seek and consider applications that are received from both internal and external applicants in response to the advertisement of a specific opening. Nothing in this paragraph prohibits the administration from transferring or reassigning qualified staff without Board approval where such personnel actions do not require a modification of the employee's individual employment contract.
2. The administration shall not recommend a candidate to the Board to fill a position covered by this policy unless the administrator with primary responsibility for identifying the administration's recommended candidate:
 - a. has personally interviewed the individual who is being recommended to the Board;
 - b. is satisfied that the individual is sufficiently qualified for the position and capable of performing the essential functions of the position (either with or without reasonable accommodations); and
 - c. is satisfied that the District would not be better served by re-opening recruiting for the position or considering some other method of satisfying the staffing need.
3. Unless fully satisfied prior to the point at which an offer of employment is made, all offers of employment made to candidates for administrative positions shall be made expressly contingent on the following:

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- a. verification of current licensure or verification of other pre-licensure status (e.g. provisional licensure or permit) that is acceptable to the District and that is sufficient for the position in question under the rules and guidelines of the DPI;*
- b. completion of a criminal and professional background check, with results that the Director of Human Resources, in his/her discretion and consistent with applicable law, finds satisfactory and sufficient to recommend the candidate to the Board for possible employment;*
- c. completion of any required physical examination with results that the District, consistent with applicable law, deems satisfactory at its discretion;
- d. if applicable, the candidate providing documentation acceptable to the District showing that the candidate has been released from any employment contract that the candidate holds with another entity that, if such contract were not released, would prevent the Board from contracting with the candidate; and
- e. the Board's wholly discretionary approval of (a) the employment of the candidate; and (b) the terms and conditions of his/her proposed employment contract.

* *It is the Board's strong preference that the administration verify a candidate's licensure status and conduct and initially review the results of all criminal, professional, and personal background checks prior to a recommendation to the Board of Education.*

Any conditional offer of employment that includes an unsatisfied contingency (including any of those listed above in this policy) is revocable if the District determines that the contingency has not been sufficiently and timely satisfied. Further, unless expressly approved by the Board in an individual case with such advice from legal counsel as the Board deems necessary or appropriate, the District shall not execute any contract with any professional employee for any position until all outstanding contingencies have been satisfied.

Nothing in this policy shall be interpreted to prevent the Board from deciding to address professional staffing needs by means other than hiring individuals who are employed directly by the District. Examples of alternative staffing options (which may also be recommended to the Board by the administration) include contracting with a Cooperative Educational Service Agency and entering into an inter-governmental agreement.

Legal References:

Wisconsin Statutes

Section 66.0502	[employee residency requirements prohibited]
Section 111.31	[declaration of fair employment policy]
Section 118.19	[licensure and certification]
Section 118.195	[discrimination against handicapped teachers prohibited]
Section 118.20	[teacher/administrator discrimination prohibited]
Section 118.21	[teacher contracts]

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Section 118.22	[renewal and nonrenewal of teacher contracts]
Section 118.24	[administrator contracts]
Section 118.25(2)	[employee physical examination required as condition of employment]
Section 121.02(1)(a)	[school district standard; employ teachers, supervisors and administrators with appropriate license/certification]

Wisconsin Administrative Code

PI 8.01(2)(a)	[school district standard; assure proper license/certification is on file]
PI 34	[licensure requirements]

Federal Laws

Americans with Disabilities Act	[nondiscrimination on the basis of disability; ability to perform essential functions of the job with or without reasonable accommodations]
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Cross References:

WASB PRG 533 Sample Policy 3
511, Equal Opportunity Employment (Affirmative Action)
524.1, Staff Conflicts of Interest
733, Data Management

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