

Adopted: April 5, 2004

Revised:

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and school district employees. ~~Furthermore, the policy provides procedural guidelines for the hiring of licensed and non-licensed staff.~~

II. GENERAL STATEMENT OF POLICY

- A. ~~It is the school district's policy~~ The policy of the school district is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate in the process of hiring on the basis of race, color, creed, religion, national origin, sex, gender, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities or privileges of employment.
- D. ~~It is the responsibility of e~~Every school district employee shall be responsible for following this policy.
- E. Any person having ~~any~~ a questions regarding this policy should discuss it with the Superintendent of Schools.

~~III. PERSONNEL HIRING~~

- ~~A. The superintendent shall be hired by the school board from a procedure developed by the board or a committee of the board.~~
- ~~B. All other administrators in the district shall be hired based on a procedure that includes involvement by the full board, a committee of the board or a board representative. A recommendation will be made by the superintendent with final approval provided by the school board.~~
- ~~C. All licensed and non-licensed staff of the district shall be selected by the school board upon the recommendation of the superintendent. Applications shall be processed according to the procedure recommended by the superintendent and adopted by the school board.~~
- ~~D. The administrator directly accountable for the performance of the staff member will organize and conduct the interview process according to the approved procedure. The administrator will confer with the superintendent about the~~

qualifications of the candidates, and make a recommendation to the superintendent who will then make a recommendation to the school board. The school board will provide final approval.

IV. ~~HIRING PROCEDURE~~

- ~~A. Supervisors will follow all Equal Employment Opportunity regulations.~~
- ~~B. Openings will be posted in accordance with the contractual agreements between the district and the local bargaining units.~~
- ~~C. Supervisors are expected to post openings outside of the system if they determine that there are not enough competent, qualified candidates who apply from within the system. They will use newspapers, professional journals and/or websites they deem most appropriate.~~
- ~~D. Supervisors will assemble a committee that will provide them with the most relevant input on the staffing of the open position. All committees are advisory and the final decision to recommend to the superintendent and school board rests with the supervisor.~~
- ~~E. Supervisors, at their discretion, may adjust timelines and procedures if in their judgment time is a factor in getting the most qualified person for the position or if an internal transfer is involved. They must, however, follow the provisions of Equal Employment Opportunity regulations and of the negotiated master agreements.~~
- ~~F. Unless there are extenuating circumstances all hiring must take place in a timely fashion and preferably prior to the new hire commencing employment.~~
- ~~G. All recommendations will be forwarded to the superintendent of schools who will seek school board approval.~~
- ~~H. All recommendations will be made using the appropriate form (Attachment A) and with a resume of the person recommended attached.~~

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 2615 (Family and Medical Leave Act)
38 U.S.C. § 4301 *et seq.* (Vietnam Era Veterans' Readjustment Assistance Act Employment and Reemployment Rights of Members of the Uniformed Services)
38 U.S.C. § 4211 *et seq.* (Veterans' Reemployment Rights Act Employment and Training of Veterans)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities ActEqual Opportunity for Individuals with Disabilities)

Cross References: Policy 402 (Disability Nondiscrimination)
Policy 405 (Veteran's Preference)
Policy 413 (Harassment and Violence)