

## Personnel

### Hiring Process and Criteria

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunities and minority recruitment. The Superintendent is responsible for making hiring recommendations to the Board. Hiring recommendations are subject to Board approval. No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80 of The School Code. No substitute teacher will be employed without first presenting his or her certificate of authorization from the appropriate Intermediate Service Center.

All applicants must complete a District application in order to be considered for employment.

### Job Descriptions

The Superintendent shall develop and maintain a current comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict. A written description of each employment position shall be established prior to the approval of the position by the Board of Education and all such descriptions shall be maintained in district files.

### Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. The Superintendent or designee shall notify an applicant if the applicant is identified in either database. A conviction record will be kept confidential and shared only with the Board President, Superintendent, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Department of State Police and/or Statewide Sex Offender Database.

Each newly hired employee must complete an Immigration and Naturalization Service Form as required by federal law.

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 5/21B-80 of The School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following:

1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
3. The District does not request of an applicant or employee access in any manner to his or her social networking website, including a request for passwords to such sites.
4. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Physical Examinations

New employees must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. All physical fitness examinations must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the Board.

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, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status* form as provided in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.: ~~Americans with Disabilities Act, 42 U.S.C. §12112, 29 C.F.R. Part 1630.~~  
~~Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.~~  
~~105 ILCS 5/10-16.7, 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 5/24-1 et seq.~~  
 105 ILCS 5/10-21.9 and 5/24-5.  
 Employee Credit Privacy Act, 820 ILCS 70/.  
 Right to Privacy in the Workplace Act, 820 ILCS 55/.  
 Americans with Disabilities Act, 42 U.S.C. §12112, 29 C.F.R. Part 1630.  
 Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.  
 105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21B-10, 5/21B-80, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-1 et seq.  
 820 ILCS 55/ and 70/.  
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (Ill.App.1, 1985), *aff'd in part and remanded* 505 N.E.2d 314 (Ill., 1987).  
Kaiser v. Dixon, 468 N.E.2d 822 (Ill.App.2, 1984).  
Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (Ill.App.1, 1945).

ADOPTED: September 23, 2009

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