

BP 4111/4211/4311 - ~~CERTIFICATED~~ ALL PERSONNEL - RECRUITMENT AND SELECTION

Note: Effective for the 2016-2017 school year, the federal Every Student Succeeds Act has eliminated the requirement that teachers be "highly qualified." Rather, teachers should be fully licensed and endorsed in each subject they are teaching.

The district shall employ the most ~~highly~~-qualified person available for each open position. The Superintendent or designee shall develop recruitment and selection procedures to ensure that every effort is made to find and hire fully qualified ~~teachers for all classrooms~~staff, which include:

1. Assessment of the district's needs to determine those areas where specific skills, knowledge and abilities are lacking.
2. Development of job descriptions which accurately portray the position, including requirements that a ~~teacher-employee~~ be qualified in accordance with federal and state law.
3. Dissemination of vacancy announcements to ensure a wide range of candidates, when necessary.
4. Screening procedures which will identify the best possible candidates for interviews.
5. Interview procedures which will determine the best qualified candidate for recommendation to the School Board.

Staff members involved in the selection process shall recommend only those candidates who meet all qualifications established by law and the School Board for a particular position. Nominations for employment shall be based upon appropriate screening devices, interviews, observations, recommendations from previous employers and any requirements of applicable collective bargaining agreements.

No inquiry shall be made with regard to age, race, color, religion, sex or national origin of persons proposed for or seeking employment. Questions regarding disability shall be asked only when directly related to the job and as permitted by law.

Note: The Alaska Professional Teaching Practices Commission recommends that districts develop a policy regarding the procedures to be followed when desiring to hire an educator currently under contract with another school district. The following policy language is based on procedures developed by the Fairbanks North Star Borough School District.

Before considering the hire of a ~~certificated staff member~~an applicant who is currently under contract in another district, the Superintendent or designee will require the certificated staff to provide written documentation that he/she: (1) has made an effort to secure a release from the employing district thirty calendar days prior to the employing district's first contract day; or, (2) has secured a written release from the employing district.

Note: A subject-matter expert teacher, holding a limited certificate issued by the Department, may be employed to teach subjects in which the person has satisfied the education or experience requirements set out in state statute [AS 14.20.022](#). Before a school district determines whether to hire a person as a subject-matter expert teacher, the school district must administer a competency examination. Additionally, once a subject-matter expert teacher is hired, the district must provide a mentor who is an experienced teacher for the subject-matter expert teacher for at least the first year of the subject-matter expert teacher's employment in the school district. A person employed as a subject-matter expert teacher under this section is

considered a certificated employee for purposes of the teachers' retirement system. Finally, employment as a subject-matter expert teacher counts as employment for purposes of acquiring tenure; however, a person holding a subject-matter expert limited teacher certificate is not entitled to tenure until the person receives a teacher certificate under [AS 14.20.022](#).

(*cf. 4112.8/4212.8/4312.8 - Employment of Relatives*)

Note: [AS 14.20.020](#) requires coursework in Alaska studies and multicultural education or cross-cultural communications in order to be eligible for a teacher certificate. Effective June 30, 2017, [AS 14.20.020](#) also requires training on alcohol and drug related disabilities, sexual abuse and sexual assault awareness and prevention, dating violence and abuse awareness and prevention and suicide prevention in order to be eligible for a teacher certification. [AS 14.20.035](#) requires districts to give preference to applicants who demonstrate training or experience that indicates sensitivity to the traditions and cultures represented in the student population.

In evaluating applicants, preference shall be given to those applicants who can demonstrate training and experience related to the traditions and cultures represented in the student population.

(*cf. 4030 - Nondiscrimination in Employment*)

(*cf. 4111.1/4211.1/4311.1 - Affirmative Action*)

(*cf. 4111.2/4211.2/4311.2 - Legal Status Requirement*)

No person shall be employed by the School Board without the recommendation or endorsement of the Superintendent or designee. The School Board shall be presented with the Superintendent or designee's recommended candidate who may be ~~selected~~ approved or rejected by the School Board. If the candidate is rejected, the Superintendent or designee shall recommend subsequent candidates until the School Board ~~selects~~ approves someone to fill the position. The School Board ~~shall make the final decision on the selection of~~ has authority over the employment of all employees, ~~however, the Board may delegate the Superintendent or designee the authority to make staff hires without prior Board approval. If such authority is delegated, the Superintendent or designee shall notify the Board of all hires at a regularly scheduled Board meeting.~~

(*cf. 6181 - Charter School 10000 - Concept and Roles*)

Note: [AS 14.08.111](#) and [AS 14.14.090](#) require districts to provide prospective employees with information regarding the availability and cost of housing in rural areas to which they may be assigned and when possible assist them in locating housing. The following may be revised or deleted as appropriate.

The School Board recognizes that the district encompasses rural areas and will assist teachers in obtaining information regarding the cost and availability of housing as required by law.

Legal Reference:

ALASKA STATUTES

[14.08.111](#) Duties (regional school boards)

[14.14.090](#) Additional duties

[14.20.010](#) Teacher Certificate Required

[14.20.022](#) Subject-matter expert limited teacher certificate

[14.20.035](#) Evaluation of training and experience

[14.20.100](#) Unlawful to require statement of religious or political affiliation

[14.20.110](#) Penalty for violation of [AS 14.20.100](#)

ALASKA ADMINISTRATIVE CODE

4 AAC 04.210, 04.212 and 06.899(6) Highly Qualified Teachers and Objective Uniform Standards

6 AAC 30.810 Employer records

6 AAC 30.840 Retention of records

UNITED STATES CODE

Every Child Succeeds Act, 20 U.S.C. 6301, et. Seq. (P.L. 114-95 December 10, 2015)

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AASB Policy Reference Manual

~~BP 4111.1/4211.1/4311.1 – ALL PERSONNEL – AFFIRMATIVE ACTION~~

~~Note: Pursuant to AS 14.18.070, the State Board of Education may require an affirmative action program if the district is found to be out of compliance with state laws against sex and race discrimination. Affirmative Action plans should be developed with advice from legal counsel. Unless the district has specific evidence of past discrimination by the district which the program can be tailored to remedy, the district should base its program on an appropriate statistical analysis of the qualified people currently available in the relevant recruiting area for each job group. An affirmative action program should be remedial, fair to minority and nonminority group members, and also temporary. The following sample policy may be revised or deleted as appropriate.~~

~~The Superintendent or designee shall determine whether the following groups are underrepresented within the district work force based on the relevant job market: men, women, whites, blacks, Hispanics, Asians, American Indians or other minorities. Where underrepresentation exists, the affirmative action program shall specify remedial action to be taken, including hiring goals and timetables.~~

~~The Superintendent or designee shall maintain an affirmative action program as required by law. The affirmative action program shall be temporary and shall be fashioned in response to a demonstrated need for remedial action. The Superintendent or designee shall update the affirmative action program not less than every five years. The program shall not unnecessarily hinder the employment of any group member.~~

~~The Superintendent or designee shall publicize this policy throughout the district and the community.~~

~~The Superintendent or designee shall report to the School Board annually regarding the extent to which program goals are being achieved.~~

~~(cf. 4030 – Nondiscrimination in Employment)~~

Legal Reference:

ALASKA STATUTES

14.18.070 Affirmative action

ALASKA ADMINISTRATIVE CODE

4 AAC 06.510 Discrimination in hiring practices

VOCATIONAL REHABILITATION ACT OF 1973

29 U.S.C. 794

AGE DISCRIMINATION IN EMPLOYMENT ACT

29 U.S.C. 621-624

VIETNAM ERA VETERANS' ACT

38 U.S.C. 2012 et seq.

United Steel Workers v. Weber

443 U. S. 193 (1979)

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