

COLCHESTER SCHOOL DISTRICT**POLICY: PERSONNEL HIRING AND RESIGNATIONS****DATE ADOPTED:** June 18, 2024**POLICY STATEMENT**

It is the policy of the Colchester School District to select for employment only persons who have the skills and other qualifications necessary to fulfill job requirements while complying with the provisions of state law regarding the recruitment, selection and employment of School District employees and contractors. The District shall make reasonable efforts to recruit candidates from diverse backgrounds to enhance the educational experience of students.

Persons subject to criminal record checks and abuse registry checks under this policy include all those recommended for full-time, part-time, or temporary employment in the school district, including student teachers, work study students, and all contracted employees who may have unsupervised contact with students and are subject by law to criminal record, including hate crimes, abuse registry, report checks prior to or in the course of employment.

The superintendent may request a name and date of birth or fingerprint-supported check of the criminal record of any current employee who has previously undergone a check at any time during the course of the record subject's employment in the capacity for which the original check was required.

The District shall ensure that adults employed in the schools maintained by the District receive orientation, information, or instruction on the prevention, identification, and reporting of child abuse as required by state law. The District will ensure that employees receive training in non-discrimination, bias, and anti-racism.

I. DEFINITIONS

- A.** The term **criminal record** as used in this policy shall have the same meaning as defined in 16 V.S.A. § 252(1).
- B.** The term **unsupervised** as used in this policy shall have the same meaning as defined in 16 V.S.A. § 252(4).
- C.** The term **abuse registry** as used in this policy shall include the Vermont Child Protection Registry maintained by the Vermont Department for Children and Families and the Vulnerable Adult Abuse Registry maintained by the Vermont Department of Disabilities, Aging and Independent Living.
- D.** The terms **employ** or **employment** as used in this policy shall, as the context requires, apply to individuals who are, or are being considered for, full-time, part-time or temporary employment in the school district, including student teachers

Last Reviewed: November 4, 2003
Date Warned: May 31, 2024
First Reading: June 4, 2024
Second Reading: June 18, 2024

and those contractors and employees of contractors who may have unsupervised contact with students.

II. RECRUITMENT AND SELECTION

- A.** CSD will take proactive steps to recruit, employ, support and retain diverse and culturally competent employees in order to build a diverse workforce that is representative of our student body. Employees will be selected in a manner that does not unlawfully discriminate and that complies with state and federal statutes and regulations regarding civil rights and employment.
- B.** Electronic or written applications will be required of candidates for full or part-time employment. After the initial written or electronic application process is complete, applicants selected for an interview will be required to provide a statement identifying any criminal charges brought against the applicant, including the date of each charge, the court where the charge was filed and the disposition of the charge. The statement shall also include a warning to the applicant in bold print that falsification of information or the omission of information on the statement may constitute grounds for dismissal if the applicant is hired. In reviewing a criminal background check, the District will consider issues of historical inequity. Any job offer shall be made contingent on the candidate successfully completing the school district's background check process.
- C.** The superintendent shall require that all applicants, as a condition of employment consideration, cooperate fully with background investigations, supplying references and releases so the District can contact previous employers.
- D.** Providing a safe learning environment for students is a primary consideration in District employment decisions. The District will base such decisions on all relevant information, qualifications, and circumstances. Applicants that the superintendent is prepared to recommend for employment will be expected to provide fingerprints, releases, and other information necessary to conduct background investigations. The costs of such checks will be paid by the District. All offers of employment shall be contingent on the candidate's successful completion of the background investigation process and a finding that the information provided by the applicant during the preemployment process was accurate, complete, and truthful.

III. APPOINTMENT

- A.** The appointment of licensed employees will be upon the recommendation of the superintendent to the School Board.
- B.** Subject to any pre-employment screening processes approved by the board, the superintendent or designee shall appoint all non-licensed employees to be employed by the school district.
- C.** Human Resources will request a criminal records check through the Vermont Crime Information Center (VCIC) on any candidate they are prepared to recommend for appointment. Requests will be made for fingerprint-supported

criminal records from the FBI as well as criminal records from the state of Vermont and any state in which the superintendent has reason to believe the applicant has resided or been employed. The District will reimburse the employee the cost for being fingerprinted and the District will pay the FBI processing fee.

- D.** All contracts or offers of employment will be conditional pending completion of the background investigation, including receipt and evaluation of the criminal records check report, and a finding that the information provided by the application during the pre-employment process was accurate, complete and truthful. All offers of employment may be withdrawn based on the criminal records check report or upon a determination that the information provided by the applicant during the pre-employment process was inaccurate, incomplete or untruthful.
- E.** Employment conditioned on the completion of a background and criminal records check will be terminated if it is determined that the employee intentionally failed to respond truthfully to questions about criminal activity, prior employment or other material information. The District may terminate any employment contract based upon the review of the criminal records check report and related information. When it is determined that an employee or prospective employee has failed to fully disclose their background through misunderstanding or inadvertence, such failure will be considered in employment or termination considerations.
- F.** Those subject to criminal records checks under this policy include all those recommended for full-time, part-time or temporary employment in the School District, including student teachers, and any contracted employees (unless otherwise exempt from such checks by law) who will have unsupervised contact with students. Persons employed by a public or independent school as of July 1, 1998 shall not be subject to the criminal record check provisions unless the individual ceased to be employed by a Vermont public or independent school for a continuous period of one year or more after that date. Upon completion of a criminal records check, the Human Resources will notify the person subject to the check about the District's protocol for maintenance of criminal history files.

IV. JOB DESCRIPTIONS

Each time a new position is established by the School Board, the Superintendent will develop a job description for the position that specifies the job holder's qualifications, performance responsibilities, terms of employment, and supervisor. Employee evaluation will be based substantially on criteria stated in approved job descriptions. The Superintendent or designee is responsible for updating, maintaining and revising all existing job descriptions.

V. RESIGNATIONS

A resignation by a licensed employee who is under contract to the school should be submitted to the superintendent in writing. The resignation of a licensed employee will take effect on a date approved by the school board after receiving the recommendation of

the superintendent. The School Board reserves its right to pursue all available legal remedies (including by way of example but not limitation, an action based upon Title 16 V.S.A. § 1752) whenever a teacher who is under contract with the District resigns without first obtaining from the School Board a release from their employment contract.

A resignation by an unlicensed employee shall be submitted in writing and shall be effective upon receipt by the superintendent or building administrator. A resignation by a licensed or unlicensed employee may not be withdrawn unilaterally by the employee once it has been submitted to the superintendent.