

RECRUITING & HIRING TEACHERS

The Oberon School Board is committed to hiring teachers who will best meet the needs of the District consistent with budget limitations, with district policy, with its goal to ensure student and staff safety, and in compliance with state and federal law. Nothing contained in this policy requires the District to fill a teaching vacancy. The Superintendent is authorized to end the advertising and screening processes in this policy at any time based on the needs of the District; however, once the District offers a teaching contract, it cannot retract this offer without the consent of the teacher receiving the job offer.

Definitions

For the purposes of this policy:

- *Crime against a child* is defined in accordance with NDCC 15.1-13-26.
- **[Immediate family is defined as the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and any member of the employee's household. NOTE: Adopt only if selecting #2 under "Disqualifying Factors" heading]**
- *Teaching positions* are jobs held by individuals licensed to teach in North Dakota who are employed primarily as classroom teachers.
- *Sexual offense* is defined in accordance with NDCC 15.1-13-26.

Advertising Protocol

When the District seeks to fill a teaching position, the Superintendent or designee:

1. Shall develop an announcement with the following components:
 - a. Minimum qualifications including, but not limited to, required education, licensure, competencies, and successfully passing any required background or criminal history record checks;
 - b. Instructions on where to access the position's job description, this policy, and any other application material;
 - c. An Equal Employment Opportunity statement.
2. May post the announcement internally; internal teaching announcements shall contain all items listed under #1, a statement that internal applicants are ineligible for Veterans' Preference, and the deadline for internal applicants to exclusively submit applications.
3. May post the announcement externally using methods deemed reasonable, effective, and within budget parameters; external teaching announcements shall contain all items listed under #1, a statement that external applicants are eligible for Veterans' Preference if meeting requirements in state law, and a closing date.

Screening Protocol

The Superintendent or designee should develop regulations, including adjudication standards, for conducting background **[and criminal history record checks]** on teachers.

RECOMMENDED

Descriptor Code: DBAC

Teaching applicants must meet minimum qualification requirements contained in the job announcement and job description. Teaching applicants are disqualified from employment if meeting the disqualifying factors listed in this policy. If no applicant is qualified, the Superintendent or designee may revise the announcement and shall repost the opening in accordance with this policy's advertising protocol.

The Superintendent or designee shall verify that any applicant claiming Veterans' Preference has satisfied eligibility requirements in law, including submission of required documentation.

[Option 1: The District does not use a competitive personnel system when hiring teachers. If a qualified veteran or disabled veteran applies for a teaching opening, the veteran entitled to preference under law will receive the position. If multiple veterans apply, the District shall comply with selection procedures contained in law. If a veteran or disabled veteran does not apply for a teaching opening, selection shall be made using an interview {and list other screening procedures}.]

[Option 2: The District uses a competitive personnel system to screen all qualified teaching applicants {with the exception of substitute teachers and teachers hired after January 1}. This system consists of the following components: {phone interviews,} {an aptitude exam,} {face-to-face interviews,} {a teaching exercise,} {list other components}. Under this system, the Superintendent or designee(s) scores applicants eligible for Veterans' Preference {on a 100-point scale} in accordance with NDCC 37-19.1-02. {The competitive personnel system is tiered, and applicants must receive a passing score at each stage of the screening process to advance to the next stage.} The Superintendent or designee shall develop a rubric for scoring teaching applicants under the competitive personnel system and for defining the threshold for a passing score.

The District may further investigate the qualifications of applicants who received a passing score under the competitive personnel system by conducting secondary interviews and checking sources such as, but not limited to, references, employment history, {background check databases}.

The Superintendent may recommend to the Board for hire the most qualified teaching applicant remaining after all screening steps are complete.]

Applicants eligible for Veterans' Preference who are not recommended for hire shall receive notice in accordance with NDCC 37-19.1-02.

Disqualifying Factors

Factors that may exclude an applicant from employment as a teacher include, but are not limited to, the following:

1. The applicant has been charged with a felony, sexual offense, crime against a child, any other offense involving a child victim, or any other crime that the Superintendent or designee has reason to believe poses a safety risk to district students, staff, or operations or could substantially disrupt district operations.

2. **[The employment would create a direct supervisor-subordinate relationship with an immediate family member who is also an employee. Employees who marry or become members of the same household may continue employment; however, a direct supervisor-subordinate relationship between the employees shall be avoided.]**
3. Knowing falsification or omission of any information given to the District by an applicant or made by an applicant during the applicant screening process including, but not limited to, information concerning criminal convictions or pending criminal charges.
4. The individual has not met ESPB’s standards for teaching licensure and/or will not have obtained a teaching license by the start of the school year.
5. The individual was **[nonrenewed for cause or]** discharged from a previous teaching position.

Hiring Authority

The Superintendent or designee(s) shall screen and make recommendations to the Board about offering an applicant a teaching position.¹

Final Applicant Rights

Records obtained by the District for background checks, criminal history record checks, and other record checks will be used solely for purposes that they were requested and will only be disseminated and retained in accordance with the district’s personnel records policy. Applicant rights related to criminal history records are contained in DBAC-E2.

Issuing Contracts

If the Board approves hiring a new teaching staff member contingent upon satisfactory adjudication of criminal history records or obtaining a teaching license, the individual’s teaching contract shall be issued with language notifying him/her of this contingency.

[Orientation

Each teacher shall be provided with a personnel handbook. {The Superintendent or designee shall provide an orientation program for new teaching staff members to acquaint them with the district’s policies and procedures, the school’s rules and regulations, and the responsibilities of their position.}]

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DBAC-E, Competitive Personnel System Example for Teachers
- DBAC-E2, Criminal History Record Screening Procedures and Adjudication for Teachers
- DI, Personnel Records

End of Oberon School District #16 Policy DBAC Adopted: 08/2019

¹ This is only one option. The Board may screen candidates or designate an interview committee to conduct candidate screening.