

## **CLASSIFIED STAFF RECRUITING/HIRING**

The Board shall establish and budget for classified positions in the school district on the basis of need and the financial resources of the district.

### **Recruiting**

The recruitment and selection of candidates for these positions shall be the responsibility of the superintendent or designee who shall confer with principals and other supervisory personnel in making a selection. All vacancies shall be made known to the present staff. Anyone qualified for a position may submit an application.

### **Background Checks**

Prior to hiring any person, in accordance with state law the district shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit reports are used in the hiring process the district shall comply with the Fair Credit Reporting Act.

All applicants recommended for a position in the district shall submit a set of fingerprints and a notarized form with information about felony or misdemeanor convictions as required by law. (This requirement shall not apply to any student currently enrolled in the district applying for a job.) Applicants may be conditionally employed prior to receiving the fingerprint results.

### **Hiring**

There shall be no discrimination in the hiring process on the basis of race, color, creed, sex, sexual orientation (which includes transgender), religion, national origin, ancestry, age, genetic information, marital status, disability or conditions related to pregnancy or childbirth.

The Board shall officially appoint all employees upon the superintendent's recommendation; however, temporary appointments may be made pending Board action.

Upon the hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.

LEGAL REFS.:       15 U.S.C. §1681 et seq. (Fair Credit Reporting Act)  
                          42 U.S.C. §653 (a) (Personal Responsibility and Work Opportunity  
                          Reconciliation Act)  
                          42 U.S.C. §2000ff et seq. (Genetic Information Nondiscrimination Act of  
                          2008)

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28 C.F.R. 50.12(b) (notification requirements regarding fingerprints)  
C.R.S. 2-4-401 (13.5) (definition of sexual orientation, which includes transgender)  
C.R.S. 13-80-103.9 (liability for failure to perform an education employment required background check)  
C.R.S. 14-14-111.5 (Child Support Enforcement procedures)  
C.R.S. 22-2-119 (duty to make inquiries prior to hiring)  
C.R.S. 22-2-119.3 (6)(d) (name-based criminal history record check – definition)  
C.R.S. 22-32-109 (1)(f) (Board duty to employ personnel)  
C.R.S. 22-32-109 (1)(pp) (annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs)  
C.R.S. 22-32-109.7 (duty to make inquiries prior to hiring)  
C.R.S. 22-32-109.8 (non-licensed personnel – submittal of fingerprints and name-based criminal history record check)  
C.R.S. 22-32-110(1)(k) (definition of racial or ethnic background includes hair texture, definition of protective hairstyle)  
C.R.S. 24-5-101 (effect of criminal conviction on employment)  
C.R.S. 24-34-301 (7) (definition of sexual orientation, which includes transgender)  
C.R.S. 24-34-402 (1) (discriminatory and unfair employment practices)  
C.R.S. 24-34-402.3 (discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted “in a conspicuous place” accessible to employees)

CROSS REFS.: GBA, Hiring/Equal Employment Opportunity  
GD, Support/Classified Staff

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**AURORA PUBLIC SCHOOLS**  
**Approved November 1977**  
**Recoded October 1998**  
**Revised November 2008**  
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Candidates for a vacant classified position shall be considered on the basis of experience, training, appropriateness of skills, merit and service potential, in accordance with the following procedures.

#### **I. Receipt of Application**

Individuals desiring to obtain classified employment must complete an online "employment application" specifying which position(s) they are interested in.

- A. All such applications will be categorized by position interest and will remain on file for a period of one year. Thereafter, they will be destroyed unless the applicant becomes an employee.

#### **II. Notice of Vacancy**

Notice of a vacant position will be posted on the District's website and in other locations as determined by the chief personnel officer. Such notice will be posted at least one week prior to filling the position.

#### **III. Processing Applications for Vacant Positions**

- A. Following the posting of a "Notice of Vacancy" the chief personnel officer or designee will compile the applications of individuals expressing interest in a position. In addition, applications of employees expressing interest in transferring (see policy GDJ) will be compiled.
  - 1. All applications shall be reviewed by the appropriate supervisor. Generally, four to five individuals will be selected to interview based upon indicated experience, training, appropriateness of skills, merit and service potential.
  - 2. After interviewing the candidates, the appropriate supervisor shall make a recommendation to the classified employment office. If the recommendation

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is to hire one of those interviewed, either the classified employment office or the hiring supervisor will then conduct a background check including contacting the candidate's previous employers (reference calls) to verify job performance and a criminal history check.

If the chief personnel officer or designee is satisfied that the candidate has the potential to offer effective service to the District in the position to be filled, the candidate shall be notified that the superintendent of schools will recommend his/her employment to the Board of Education. Once the Board of Education acts on the recommendation, all interviewed candidates will be notified of the results, with the successful candidate being issued a "Notice of Appointment."

The hiring supervisor, the chief personnel officer, or the Board of Education may reject all candidates presented to them. In this event, the procedure for "Processing Applications for Vacant Positions" will again be activated.

#### **IV. Fingerprinting**

1. All applicants selected for employment in a support staff position must submit a complete set of fingerprints taken by a qualified law enforcement agency or an authorized district employee or any third party approved by the Colorado Bureau of Investigation.
2. Applicants selected for employment must also submit a complete form as required by state law, to certify, under penalty of perjury, either that he or she has never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, or that he or she has been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offense). If the candidate affirms a conviction, the form must specify the felony or misdemeanor, the date of conviction and the court entering

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judgment.

3. The school district will release the fingerprints to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation. When the results of the fingerprint-based criminal history check reveal a record of arrest without a disposition, the district shall require the employee to submit to a name-based criminal history check.
4. Although an applicant may be conditionally employed prior to receiving the results of the background check linked to fingerprints, he or she may be terminated if the results are inconsistent with the information provided on the form and shall be terminated if the results disclose a conviction, after August 10, 2011, for any of the following offenses:
  - a) felony child abuse, as described in C.R.S. 18-6-401;
  - b) a crime of violence, as described in C.R.S. 18-1.3-406(2);
  - c) a felony involving unlawful sexual behavior, as defined in C.R.S. 16-22-102(9);
  - d) felony domestic violence, as defined in C.R.S. 18-6-800.3;
  - e) a felony drug offense described in C.R.S. 18-18-4, committed on or after August 25, 2012;
  - f) felony indecent exposure, as described in C.R.S. 18-7-302; or
  - g) an offense committed outside of this state, which if committed in this state would constitute an offense described in items a-f.

The district shall notify the district attorney of inconsistent results for action or possible prosecution.