

POSTING AND ADVERTISING OF PROFESSIONAL VACANCIES

Code **GCEC** Issued **12/19**

Purpose: To establish the basic structure for posting and advertising professional vacancies.

The board believes it has the obligation to provide the best administrative and supervisory personnel available for Charleston County School District regardless of race, religion, sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions), color, disability, age (40 or older), genetic information, national origin, or any other applicable status protected by local, state, or federal law.

Except in extreme circumstances, the human resources department of recruitment and staffing shall advertise all job vacancies within Charleston County School District for at least three calendar days.

Interim Appointments

~~The board recognizes that interim positions may be required by certain unforeseen and irregular circumstances. As such, the board authorizes the Superintendent to appoint an interim appointment in these rare and unique circumstances. The board does not authorize the appointing of an interim position to expedite or otherwise sidestep the appropriate hiring process.~~

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~~In the event of an emergency (e.g., death, sudden illness of critical employee or unexpected vacancy) and an interim position is needed to be filled, the Superintendent shall make such appointment and place an agenda item on the next Board of Trustees meeting notifying them of the interim appointment as information. If it is a permanent vacancy, the job opening must be posted within 15 days of the interim appointment and a permanent offer made within 30 days thereafter.~~

~~If the position has not been filled within 30 days, the Superintendent may bring a report to the board of hiring efforts relating to the position and request the board approve an extension to the interim appointment for a maximum of 90 additional days at a time.~~

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Promotional Positions

The board declares its support of a policy to give teachers from its present staff consideration with respect to the filling of promotional vacancies. The superintendent shall have posted online a notice of vacancy for all certificated positions as soon as practicable.

Central staff and school-level administrative positions are considered promotional opportunities and, except in cases of emergency or it is in the best interests of Charleston County School District, shall not be filled until such vacancies have been posted for at least three calendar days. ~~In the event of an emergency (e.g., death or sudden illness of critical employee) and an interim position is needed to be appointed filled, the Superintendent will shall make such appointment and place an agenda item on the next Board of Trustees meeting for the interim position to be affirmed or denied by a majority vote of the Board notifying them of the interim appointment as information. The Superintendent will repeat this process every 90 days and provide an update to the Board on the status of hiring efforts. If it is a permanent vacancy, the job opening must be posted within 15 days of the interim appointment and a permanent appointment made within 30 days thereafter.~~

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School level non-administrative positions shall be initiated and posted weekly by the human resources department of recruitment and staffing. These positions are exempt from the three-calendar-day waiting period.

Adopted 5/10/73; Revised 12/3/75, 2/24/86, 2/13/06, 6/27/16, 12/16/19

Legal References:

A. United States Code of Laws, as amended:

1. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*
2. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
3. American with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.*
4. Equal Pay Act of 1963, 29 U.S.C.A. Section 206.
5. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C.A. Section 2000ff, *et seq.*
6. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*
7. Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000d, *et seq.*
8. Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e, *et seq.*
9. Title IX of the Education Amendments of 1972, 20 U.S.C.A. Section 1681, *et seq.*
10. Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C.A. Section 4301, *et seq.*

B. S.C. Code of Laws, 1976, as amended:

1. Section 1-1-550 - School districts required to give employment preference to honorably discharged veterans.
2. Section 1-13-10, *et seq.* - Prohibits discrimination on the basis of race, religion, color, sex (including pregnancy, childbirth, or related medical conditions), age, national origin, or disability.
3. Section 1-13-80 - Unlawful employment practices; exceptions.
4. Section 59-1-510, *et seq.* - Guidelines and regulations for recruitment and hiring staff in professional areas.
5. Section 59-19-510, *et seq.* - Right of unsuccessful applicant to file grievance; board may review matters arising from the construction or administration of school policies.