

Policy GCF/~~GCFB~~^[AS1] Professional and Administrative Staff Hiring

Issued 11/16

Purpose: To establish the basic structure for the hiring of highly qualified professional- and administrative staff for Charleston County School District.

All vacancies will be filled on the basis of fitness, qualifications, and suitability for the specific position. There will be no discrimination in making such appointments by virtue of race, religion, sex (including gender identity, sexual orientation, and pregnancy, childbirth, or any related medical conditions)^[AS2], color, disability, age (40 or older), genetic information, national origin, or any other applicable status protected by local, state, or federal law. The quality of the educational program is enhanced by staff members with a wide variation in background, culture, educational preparation, and previous experience.

The superintendent shall ensure that participants in the principal interview process shall include representatives of the local constituent board, school improvement council, parents/legal guardians, faculty, peer principals, district staff, and other appropriate individuals. One or more interview teams may be convened, with qualified candidates being forwarded to the superintendent for further consideration. ^[AS3]Hiring of school and district leaders up to the chief officer and deputy superintendent level shall be the responsibility of the superintendent. Chief officer and deputy superintendent recommendations shall be brought to the board for approval.

Hiring of principals and candidates at the executive director level and above shall be the responsibility of the superintendent, who will advise the board of such hires. To efficiently meet this responsibility, the human resources department shall determine the candidate's eligibility and verify that all eligibility criteria have been met prior to the superintendent's recommendation of employment to the board.

Mandatory assessment of principal appointees

Any person considered for permanent appointment as a principal will be assessed in accordance with state law and state board of education regulations [option - The superintendent will appoint to a principalship an individual who has prior experience as a principal, has been assessed, or is participating in the Principal Induction Program]. The superintendent may appoint a principal on an interim basis until the completion of the school leaders licensure assessment. The superintendent shall not hire any candidate until they have reviewed the written assessment report. The superintendent may waive this requirement if an interim appointment is needed to fill a vacancy during the school year. A copy of the assessment report must be forwarded to the superintendent and the board.

Any person prior to permanent appointment as a first time principal in Charleston County School District must be assessed for his/her instructional leadership and management capabilities by the office of school leadership of the state department of education, in accordance with statute.

~~A personal professional development plan with annual updates must be constructed on the basis of that assessment prior to or within one year of the appointment (see GCI, Professional Staff Development).~~

~~Individuals shall successfully complete the school leaders licensure assessment in accordance with state law and regulations with regard to mandatory assessment of principal appointees^{[LW4],[AS5]}~~

Contract Status

An administrator employed by Charleston County School District on a contract will retain his/her rights as a teacher under state law. However, state law does not grant these rights to the position or salary of an administrator (for example, if he/she is returned to the classroom).

Employment of school level professional staff shall be the responsibility of the principal, subject to the approval of the associate superintendent, with final approval by the superintendent.

All hiring decisions are subject to clearance by the human resources department. The district shall not employ any candidate without a personal or electronic interview and review of required confidential references. The human resources department shall obtain a criminal records check on all applicants prior to their initial employment. Only the human resources department may issue offers of employment.

The Immigration Reform and Control Act of 1986 (P.L. 99-603) prohibits employers from hiring aliens not legally eligible to work in the United States. It requires all new employees to present evidence of employment eligibility and requires employers to verify that eligibility. Newly hired employees must complete the form no later than three days following their first working day.

Rehiring Teacher and Employee Retention Incentive Program (TERI) Participants

~~At the conclusion of participation by an employee in the TERI program, the Charleston County School District shall follow all applicable state and federal laws and regulations as well as its normal hiring procedures concerning any continued employment of the individual with the district.~~

Should a ~~mid-year~~ vacancy occur in a teaching or administrative position, the superintendent is authorized to fill such vacancies for the remainder of the school year in which the vacancy occurs pursuant to a letter of agreement, when appropriate.

The superintendent or his/her designee shall determine whether advertisement of the vacancy is necessary or whether the position may be filled through other appropriate means.

The superintendent is authorized to hire retired staff to work in the district on an as needed basis when their employment would serve the best interests of the district. In such cases, the superintendent will notify the staff member of the at-will status of his/her employment. The continued employed of retired staff will be at the discretion of the superintendent who will make

such decisions in the best interests of the district. The decision to employ or not employ retired staff will not be subject to the district's grievance procedures.

~~For issuance of contracts at the conclusion of the TERI program, see policy GCB, Professional Staff Contracts and Compensation.~~

Adopted 5/10/73; Revised 12/16/74, 12/8/75, 6/11/79, 2/24/86, 2/24/86, 2/13/06, 9/14/15, 11/28/16, 10 /19

Legal references:

Federal Law:

American with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, *et seq.* – Prohibits employment discrimination on the basis of disability.

Every Student Succeeds Act, Pub. L. No. 114-95 - Requisite teacher qualifications.

Title IX of the Education Amendments of 1972, 20 U.S.C.A. Sections 1681-86 - Prohibits discrimination on the basis of sex.

Title VII of the Civil Rights Act of 1964, 42 U.S.C.A Section 2000e, *et seq.* – Prohibits discrimination in hiring based on race, color, national origin, religion or sex.

Code of Federal Regulations:

41 CFR 60-20 (1998) - Prohibits discrimination on the basis of sex.

S. C. Code, 1976, as amended:

Section 1-1-550 - School districts shall give preference to employment of honorably discharged veterans.

Section 9-1-1790 - Amount which may be earned upon return to covered employment.

Section 9-1-2210 - Teacher and Employee Retention Incentive Program; operation.

Section 59-1-510 - Guidelines and regulations for recruitment and hiring staff in professional areas.

Section 59-1-520 - Intervention by State Department of Education for non-compliance.

Section 59-18-1300 - District accountability system.

Section 59-19-80 - Requirements as to purchases and teacher employment (teaching contracts to be issued in public meeting).

Section 59-24-10 – Assessment of leadership and management capabilities of persons being considered for appointment as elementary or secondary school principals.

Section 59-24-15 – Rights of certified education personnel employed as administrators.

Section 59-25-410, *et seq.* - Employment and Dismissal Act - Teachers to be notified of employment status by April 15th.

Section 59-26-40(M) - Before initial employment of a teacher, the local school district shall request a criminal record history from the South Carolina State Law Enforcement Division for past convictions of any crimes.

S.C. Acts and Joint Resolutions:

1967 Act 340 - Creates the School District of Charleston County and abolishes the county board of education; ~~sets forth the powers of the constituent district boards.~~

~~1978 Act 721—Amends 1967 Act 340 to provide that principals shall be appointed by the board of the Charleston County School District.~~

Regulations:

R-43-205 – Administrative and professional personnel qualifications, duties and workloads.

Charleston County School District