

SUPPORT STAFF HIRING

Code **GDF** Issued **9/10**

Purpose: To establish the basic structure for the hiring of support staff.

The superintendent employs all support staff.

It is the superintendent's responsibility to ensure that all persons employed meet the qualifications established for the particular position. The superintendent will establish an interview and selection procedure that will allow principals or supervisors an opportunity to be actively involved in the selection of an employee for their school. However, the superintendent will make or approve the final selection.

The superintendent will consider all candidates based on the needs of the district as well as on their merits and qualifications. The district will not discriminate or give preferential treatment with regard to race, age, national origin, sex, handicap, alienage or religion. The district will make reasonable accommodation to known physical or mental limitations of otherwise qualified disabled persons where such accommodation would not impose an undue hardship on the operation of district programs.

The district will not employ any candidate without a personal interview.

Federal and state laws prohibit employers from hiring aliens not legally eligible to work in the United States. They also require all new employees to present evidence of employment eligibility and require employers to verify that eligibility. The district will utilize the federal work authorization program E-Verify for verification of work authorization submitted by an employee. Newly hired employees must complete the required I-9 form no later than three days following their first working day.

Should a vacancy occur in a position during the year, the board authorizes the superintendent 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 may determine whether advertising the vacancy is necessary or whether the position may be filled through some other means.

The superintendent is authorized to hire retired employees to work in the district on an "as needed" basis when their employment would serve the best interests of the school district. In such cases, the superintendent will notify the employee of the at-will status of his/her employment. The continued employment of retired employees 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 employees will not be subject to the district's grievance procedures.

For required criminal record checks on new employees, see policy GBEBDA*, Criminal Record Checks.

Cf. GBEBDA*

Adopted 8/13/91; Revised 9/14/99, 3/8/05, 10/14/08, 9/14/10

Legal references:

- A. United States Code:
1. 20 U.S.C. Sections 1681-86 - Prohibits discrimination on the basis of sex.

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2. 42 U.S.C. 2000e, et seq. - Prohibits discrimination in hiring based on race, color, national origin, religion or sex.
 3. 42 U.S.C. 12101, et seq. - Prohibits employment discrimination on the basis of disability.
 4. Public Law 107-110 - No Child Left Behind, revised Elementary and Secondary Education Act (ESEA) of 2001, Title 1, Part A, Subpart 1, Section 1119 - Qualifications for teachers and paraprofessionals.
 5. Public Law 99-603 - Immigration Reform and Control Act of 1986.
 6. Public Law 104-208 - Illegal Immigration Reform and Immigrant Responsibility Act of 1996.
- B. Code of Federal Regulations:
1. 41 CFR 60-20 (1998) - Prohibits discrimination on the basis of sex.
- C. S. C. Code, 1976, as amended:
1. Section 1-1-550 - School districts shall give preference to employment of honorably discharged veterans.
 2. Section 59-18-1300 - District accountability system.
 3. Section 9-1-2210 - Teacher and Employee Retention Incentive Program; operation.
 4. Section 9-1-1790 - Amount which may be earned upon return to covered employment.
 5. South Carolina Illegal Immigration Reform Act (Act 280 of 2008).
 6. Section 16-1-60 - Violent crimes defined.
 7. Section 23-3-115 - Fees for criminal record searches conducted for charitable organizations.
 8. Section 23-3-130 - Determination of information to be supplied and methods of evaluation and dissemination; promulgation of rules and regulations.
 9. Section 23-3-430 - Sex offender registry; convictions and not guilty by reason of insanity findings requiring registration.
 10. Section 59-19-117 - Background checks.
- D. State Board of Education Regulations:
1. R43-209 - Support personnel/paraprofessional personnel positions, qualifications and duties.