Subject: Hiring: Recruitment and Selection, Nondiscrimination in Employment, Nepotism

Effective Date: TBD Upon Board Approval

Approved By: Board of Directors

Policy: 8001.1 – 8001.3

8001.1 – RECRUITMENT AND SELECTION

Because an important factor in student achievement is the quality of the teaching staff, the Vista Springs Charter School ("VSCS") Board of Directors desires to employ a highly qualified and effective person for each open position in order to improve student achievement and efficiency in school operations. Quality support and administrative staff also contribute to student achievement through smooth and efficient operations that allow all staff to focus on the quality of the school program.

The Superintendent or designee shall recruit candidates for open positions based on an assessment of the School's needs for specific skills, knowledge, and abilities. The Superintendent shall develop job descriptions that accurately describe all essential and marginal functions and duties of each position, including environmental and physical demands, and shall disseminate job announcements to ensure a wide range of candidates.

The Superintendent or designee shall develop selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations, and recommendations from previous employers. S/he may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.

No inquiry shall be made with regard to any category of discrimination prohibited by applicable law. During job interviews, applicants may be asked to describe or demonstrate how they have performed in the past and how they think they will be able to perform the duties of the job.

School employment practices shall not discriminate against non-citizen residents who are legal to work in the United States. Inquiries to assure employment eligibility shall be made in accordance with law, Board Policy and Administrative Regulation.

All employees are hired "at will." Each employee will specifically acknowledge, by returning a signed offer letter, that the employee is an at-will employee and that there have been no promises of continued employment at the school from any of its representatives.

For each position, the Superintendent or designee shall present to the Board one individual who meets the qualifications for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

Contingent upon available funding, the Superintendent or designee may provide incentives to recruit credentialed teachers to teach in difficult-to-fill positions.

The Superintendent or designee has the authority to allow a new hire to begin employment prior to Board approval. The new hire will be notified that her/his employment is subject to Board approval.

8001.2 – NONDISCRIMINATION IN EMPLOYMENT

VSCS is an equal opportunity employer. It is the policy of the School to afford equal employment and advancement opportunity to all qualified individuals without regard to race, color, creed, gender (including gender identity and gender expression), religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. This policy extends to all employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, compensation and benefits of existing employees.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the School will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a School representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. VSCS then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. VSCS will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the School will make the accommodation.

Any school employee who engages or participates in unlawful discrimination or who aids, abets, incites, compels, or coerces another to discriminate, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Any school employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the director, school administrator, or Superintendent as soon as practical after the incident. School administrators should immediately report the information to Human Resources and the Superintendent. Failure of a school employee to report discrimination or harassment may result in disciplinary action.

The Superintendent or designee shall regularly publicize, within the school and in the community, the school's nondiscrimination policy and the availability of complaint procedures.

The school's policy and administrative regulation shall be posted in all schools and offices, including staff lounges and student government meeting rooms.

The Board designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

Director, Human Resources

43466 Business Park Drive, Temecula, CA 92590

(951) 252-8870

Other Remedies

An employee may, in addition to filing a discrimination complaint with the School, file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, the employee must file her/his complaint within one year of the alleged discriminatory act(s). (Government Code 12960)
2. To file a valid complaint directly with EEOC, the employee must file her/his complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)

Websites

EEOC: http://www.eeoc.gov

OCR: http://www.ed.gov/offices/OCR

DFEH: http://www.dfeh.ca.gov

8001.3 – NEPOTISM

The basic criteria for appointment and promotion of all faculty and staff will be appropriate qualifications and performance. Relationship by family, marriage, or partnership will constitute neither an advantage nor a deterrent to appointment in the school provided the individual meets and fulfills the appropriate standards. It is not the intent of this policy to encourage the employment of relatives within the same unit, but rather to reemphasize the concept that the selection of personnel will be on the basis of job-related qualifications.

Members of the same immediate family whose qualifications rank each of them first for the positions under consideration may be employed (full-time or part-time), so long as neither family member is immediately responsible for the decision to hire, or for the supervision, direction, evaluation, or salary recommendation of the other. In such instances, all final decisions will be referred to the Board of Directors and to the Office of Human Resources.