

Policy 4311: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 01/10/2019 | **Last Reviewed Date:** 09/09/2026

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission, and goals, and believes that students benefit when district staff reflects the racial, ethnic, linguistic, and cultural diversity of the district.

The Superintendent or designee shall develop recruitment and selection processes, consistent with applicable law, Board policy, and collective bargaining agreements, that are designed to promote fairness and equity so that individuals are selected for employment in the district based on demonstrated knowledge, skills, and competence and in compliance with applicable antidiscrimination laws.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures and consistent with applicable law, seek to recruit a diverse pool of qualified applicants.

When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. Additionally, the Superintendent or designee shall disseminate job announcements in a manner reasonably designed to reach a broad pool of qualified candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.3)

The Superintendent shall develop and maintain appropriate hiring procedures to identify qualified candidates who meet district needs. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be treated as confidential to the extent consistent with law.

When considering an applicant for a certificated position, the district shall inquire with each district, county office of education (COE), charter school, state special school or diagnostic center operated by the California Department of Education (CDE), or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that was reported to the Commission on Teacher Credentialing (CTC). (Education Code 44939.5)

Additionally, when considering an applicant for a classified position, the district shall inquire with each district, COE, charter school, state special school or diagnostic center operated by CDE, or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation. (Education Code 44051)

Upon receipt of an inquiry from another district, COE, charter school, state special school or diagnostic center operated by CDE, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to CTC within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the district may not discriminate against a person in hiring based on the person's use of cannabis off the job and away from the workplace, including that the district may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being

impaired by, or using cannabis while on the job. (Government Code 12954)

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. (Labor Code 432.3)

The Superintendent or designee shall not require an applicant to have a driver's license unless driving is an essential function of the position or it is otherwise reasonably expected for driving to be a job function for the position and that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the district. (Government Code 12940)

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

Incentives

With Board approval and in accordance with district needs and any applicable collective bargaining agreements, the district may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 200-280

Description

[Prohibition of discrimination](#)

Ed. Code 35035

[Powers and duties of the superintendent; transfer authority](#)

Ed. Code 44051

Noncertificated employees; report of egregious misconduct

Ed. Code 44066

[Limitations on certification requirements](#)

Ed. Code 44259

[Teaching credential, exception; designated subjects; minimum requirements](#)

Ed. Code 44750

[Teacher recruitment resource center](#)

Ed. Code 44830-44831

[Employment of certificated persons](#)

Ed. Code 44858

[Age or marital status in certificated positions](#)

Ed. Code 44859

[Prohibition against certain rules and regulations regarding residency](#)

Ed. Code 44939.5

[Certificated employees; report of egregious misconduct](#)

Ed. Code 45103-45139

[Employment; classified employees](#)

Ed. Code 49406

[TB risk assessment](#)

Gov. Code 12900-12996

[Fair Employment and Housing Act](#)

Gov. Code 7920.000-7930.215

[California Public Records Act](#)

Gov. Code 815.2

[Liability of public entities and public employees](#)

H&S Code 53570-53574

[Teacher Housing Act of 2016](#)

Lab. Code 432.3

[Salary information](#)

Federal

20 USC 1681-1688

Description

[Title IX of the Education Amendments of 1972; discrimination based on sex](#)

Federal

28 CFR 35.101-35.190

34 CFR 106.51-106.61

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

5 USC 552

8 USC 1324a

8 USC 1324b

Description

Americans with Disabilities Act

Nondiscrimination on the basis of sex in employment in education program or activities

[Americans with Disabilities Act](#)[Title VI, Civil Rights Act of 1964](#)

Title VII, Civil Rights Act of 1964, as amended

[Freedom of Information Act](#)[Unlawful employment of aliens](#)[Unfair immigration related employment practices](#)**Management Resources**

CA Commission on Teacher Credentialing Publication

California County Superintendents Publication

California Department of Education Publication

Court Decision

Ctr for Cities + Schools, cityLAB & Turner Ctr Pub

Ctr for Cities + Schools, cityLAB & Turner Ctr Pub

Website

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Description[Strategic Plan: Ensuring Educator Excellence, 2023](#)

Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017

[How to Increase the Diversity of California's Educator Workforce, April 2022](#)[C.A. v William S. Hart Union High School District et al. \(2012\) 138 Cal.Rptr.3d 1](#)[Education Workforce Housing in California: Developing the 21st Century Campus, 2021](#)[Education Workforce Housing in California: The Handbook](#)[University of California Los Angeles, cityLAB](#)[University of California Berkeley, Turner Center for Housing Innovation](#)[University of California Berkeley, Center for Cities + Schools](#)[CSBA District and County Office of Education Legal Services](#)[Commission on Teacher Credentialing](#)[Education Job Opportunities Information Network](#)[Teach USA](#)[California County Superintendents](#)[California Civil Rights Department](#)[U.S. Department of Education](#)[U.S. Equal Employment Opportunity Commission](#)[California Department of Education](#)**Cross References**

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Description[Vision](#)[Vision](#)[Goals For The School District](#)[Nondiscrimination In District Programs And Activities](#)[Representative And Deliberative Groups](#)[Concepts And Roles](#)[Nondiscrimination In Employment](#)

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4212.8	Employment Of Relatives
4219.21	Professional Standards
4219.21-E PDF(1)	Professional Standards - Code Of Ethics Classified Employees
4219.24	Maintaining Appropriate Adult-Student Interactions
4300	Administrative And Supervisory Personnel
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