

RECRUITMENT, SELECTION AND HIRING

The board of education shall appoint all staff members only from nominations made by the chief school administrator. All appointments shall be by recorded roll call majority vote of the full membership of the board. The chief school administrator shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability, nationality, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job.
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency.
- C. It shall be the duty of the Chief School Administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The chief school administrator is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of education and signed by the candidate. It shall be the responsibility of the chief school administrator to communicate this fact to all candidates.

The chief school administrator may make temporary appointments in emergency situations in accordance with law. These must be ratified by the board at the next regular meeting.

Residency Requirements

Every employee hired by the board shall have their principal residence with the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

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The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy, unless he/she has not had a break in public service for a period of time greater than seven days;
- C. Any employee hired by the district who was a non-resident public employee prior to September 1, 2011 is exempted from this policy, unless he/she has not had a break in public service for a period of time greater than seven days;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence accepting a new appointment within the district shall not be considered a break in public service.
- E. Any employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

Adopted: October 7, 2002
Revised: December 10, 2012
Renewed: July 18, 2016

Legal References: N.J.S.A. 10:5-1 et seq.
N.J.S.A. 18A:6-7.1, -7.5
N.J.S.A. 18A:11-1

Law Against Discrimination
Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment
General mandatory powers and duties

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N.J.S.A. 18A:16-1 Officers and employees in general
N.J.S.A. 18A:27-4 Power of boards of education to make
rules governing employment of teacher,
etc.; employment there under
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal or renewal
of officers and employees; exceptions
N.J.S.A. 18A:39-17
through -20 Names, social security numbers, and
certification of bus driver's license and
criminal background check ...

See particularly:

N.J.S.A. 18A:39-19.1

N.J.S.A. 18A:54-20

Powers of board (county vocational
schools)

N.J.S.A. 26:8A-1 et seq.

Domestic Partnership Act

N.J.S.A. 39:3-10.1

Driver of motor vehicle or trackless trolley
with capacity over six passengers; special
license

N.J.S.A. 52:14-7

Residency Requirements

N.J.A.C. 6A:7-1.1 et seq.

Managing for Equality and Equity in
Education

See particularly:

N.J.A.C. 6A7-1.4,-1.8

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as
amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of
1973

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of
1986

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Taxman v. Piscataway Bd. of Ed., 91 F.3d 1547 (3d Cir. 1996)

The Comprehensive Equity Plan, New Jersey State Department of Education

Cross References: *2131 Chief school administrator
*3000/3010 Concepts and roles in business and noninstructional operations;
goals and objectives
4000 Concepts and roles in personnel
4010 Goals and objectives
*4123 Classroom aides/paraprofessionals

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*4211.1	Nondiscrimination/affirmative action
*4212.4	Employee health
4212.5	Criminal history check
*4212.6	Personnel records
*4212.8	Nepotism
*4219.23	Employee substance abuse
*4222	Noninstructional aides
*6010	Goals and objectives
9123	Appointment of board secretary
9124	Appointment of business official

*Indicates policy is included in the Critical Policy Reference Manual.