

## **General Personnel**

### Hiring Process and Criteria

The district hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunities and minority recruitment. The Superintendent or a designee is responsible for recruiting personnel, in compliance with Board of Education policy, and making hiring recommendations to the Board of Education. The Superintendent or a designee may select personnel on a short-term basis for a specific project or emergency conditions before the Board of Education's approval. No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80(c) of the School Code.

All applicants must complete a District application form in order to be considered for employment.

### Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration.

The Superintendent or a designee shall develop and maintain a current, comprehensive job description for each position or job category, however a provision in a collective bargaining agreement or individual contract will control in the event of a conflict.

### Investigations

The Superintendent or designee shall ensure that a finger-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender against Youth Database (when available) are performed on each applicant as required by State law. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed. The Superintendent or designee or if the applicant is a successful superintendent candidate, then the Board President shall notify an applicant if the applicant is identified in the Database. The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Illinois Department of State Police and/or Statewide Sex Offender Database. The Board reserves its right to authorize additional background inquiries beyond a fingerprint-based criminal history records check when it deems it appropriate to do so, in accordance with applicable laws.

Each newly hired employee must complete an Immigration and Naturalization Service Form as required by federal law.

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 21B-80 of the School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following:

1. The District uses an applicant's credit history or report from a consumer-reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
3. The District does not request of an applicant or employee access in any manner to his or her personal online accounts, such as social networking websites, including a request for passwords to such accounts.
4. The District provides equal employment opportunities to all persons. See policy 5.10, Equal Employment Opportunity and Minority Recruitment.

### Physical Examinations

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examinations must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorized the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination no more than 90 days before submitting evidence of same to the District.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity. The Board of Education will pay the expenses of any such examination.

### Orientation Program

Please refer to the "Agreement between the Board of Education Community Unit School District No. 5 and the Sterling Education Association."

For employees not covered by this agreement, the District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, their school's rules and regulations, and the responsibilities of their position.

Before beginning employment, each employee must sign the Acknowledgement of Mandated Reporter Status form as provided in Policy 5.90, Abused and Neglected Child Reporting.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21B-10, 5/21B-80, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-5.  
20ILCS 2630/3.3, Criminal Identification Act.  
820 ILCS 70/, Employee Credit Privacy Act  
Right to Privacy in the Workplace Act, 820 ILCS 55/.  
Americans with Disabilities Act, 42 U.S.C. § 12112, 29 C.F.R. Part 1630.  
Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.  
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.

Duldulao v. St. Mary of Nazareth Hospital  
Kaiser v. Dixon, 468 N.E.2d 822.  
Molitor v. Chicago Title & Trust Co.

CROSS REF.: 2.260, 3.50, 4.175, 5.10, 5.40, 5.90, 5.125, 5.220, 5.280

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