

## **General Personnel**

### **Hiring Process and Criteria**

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

All applicants must complete a District application 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 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 fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is 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 either 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 Ill. Dept. 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 5/21B-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 account, such as social networking website, 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

**Please refer to the following current agreement:**

**Collective Bargaining Agreement between Kildeer Countryside CCSD 96 Board of Education and Kildeer Countryside CCSD 96 Education Support Professionals Association.**

**For employees not covered by this agreement:**

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease (at their own expense). The physical fitness examination 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 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. The employee must have the physical examination performed no more than 90 days before submitting evidence of it 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 will pay the expenses of any such examination.

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, 522-6.5, and 5/24-5.  
20 ILCS 2630/3.3, Criminal Identification Act  
820 ILCS 55/, Right to Privacy in the Workplace Act.  
820 ILCS 70/, Employee Credit Privacy Act .  
Americans with Disabilities Act, 42 U.S.C. §12112, and 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, 136 Ill.App. 3d 763 (1<sup>st</sup> Dist. 1985),  
*aff'd in part and remanded* 115 Ill.2d 482 (Ill. 1987).  
Kaiser v. Dixon, 127 Ill.App. 3d 251 (2<sup>nd</sup> Dist. 1984)  
Molitor v. Chicago Title & Trust Co., 325 Ill.App. 124 (1<sup>st</sup> Dist. 1945)

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Superintendent), 4:60 (Purchases and Contracts), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:220 (Substitute Teachers), 5:280 (Educational Support Personnel - Duties and Qualifications)

ADOPTED: April 5, 2011, October 21, 2014, March 19, 2019