

2.02 APPLICATION/RECRUITMENT

A. Application

Application for a position with the Clay County School Board shall be made on-line from the District website. Discrimination in any phase of the employment of personnel, on the basis of race, religion, color, sex, marital status, age, national origin or disability, is expressly prohibited by the Clay County School Board.

B. Application Screening

1. Evaluations will be secured from references and other information shall be required as necessary to substantiate qualifications. Interviews with the applicant may be required before employment. All applicants for a position with the School Board shall have a completed application on-line prior to consideration for employment.
2. Fingerprinting and background checks will be as follows:
 - a. Fingerprint/background checks shall be conducted on all prospective employees of the School Board, including substitute and part-time, in accordance with the regulations of the State of Florida and Clay County School Board Rule. The cost of such initial fingerprint/background checks shall be borne by the applicant, except that, the School Board shall bear the cost of fingerprint/background processing for initial employment of support substitute personnel, part-time supplemented positions, non-paid student records volunteers, part-time Adult/Community Education teachers and temporary part-time teachers. If the applicant/employee does not meet the requirements of the Department of Education and the Clay County School Board, any contract issued and any pay processed shall be terminated immediately. Former employees, including substitutes who terminate employment, must be re-fingerprinted.
 - b. Effective July 1, 2004, all Clay County School District employees must be fingerprinted and background checked through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation every five years. The initial and renewal cost of the fingerprint processing of current employees will be paid by the Clay County School District.
 - c. Fingerprinting/Background checks for non-instructional contractual personnel will be conducted as follows:
 - 1) Non-instructional contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds, must undergo fingerprinting and must meet Level 2 background screening requirements. This requirement shall apply to any vendor, individual or entity under contract with a school or the School Board, except those to which paragraph 2) and 3) of this subsection apply. The cost shall be

borne by the contracting agency or individual. The screening shall be conducted as set forth in Florida Statute 1012.465.

- 2) Non-instructional contractors who are vendors, individuals, entities, employees of contractors, subcontractors, or employees of subcontractors who contract with a school, a sub unit of a school, or the School Board, either directly or through its designated purchasing agent, to perform services and receive remuneration for said performance (as distinguished from those who sell a product) and who are permitted access to school grounds when students are present and for whom the performance of their contract does not anticipate direct contact with students and unanticipated contact will be infrequent and incidental, shall undergo a fingerprint-based criminal history check by the School Board or its employees or agents as required by Florida Statute 1012.467. The cost shall be borne by the contractor and may not exceed the amounts set by law.

A non-instructional contractor for whom a criminal history check is required pursuant to this subsection may not have been convicted of any of the offenses listed in Florida Statute 1012.467(2) (g). Convicted means that there has been a determination of guilt by trial, plea of guilty, or plea of *nolo contendere*, regardless of whether adjudication is withheld. All contracts shall contain a provision addressing contractors' self reporting requirements for subsequent arrests that are provided by law.

- 3) Non-instructional contractors who are subject to subsection 2) herein are exempt from screening requirements of subsection 1) and 2) herein if they are under the direct supervision of a school district employee OR a contractor who has had a criminal history check and meets the screening requirements. Direct supervision means the district employee or contractor is physically present with the non-instructional contractor when the contractor has access to a student AND the access remains in the district employee's or contractor's line of sight. If a non-instructional contractor who is exempt is no longer under direct supervision, he shall not be permitted on school grounds when students are present until he meets screening requirements of subsection 1) or 2). Non-instructional contractors who meet the following criteria are also exempt from the screening requirements of subsections 1) and 2) herein:
 - a.) A law enforcement officer as defined in 943.10, who is dispatched/ assigned to school grounds by his employer.
 - b.) An employee or medical director of an ambulance service licensed pursuant to Chapter 401 who is providing services within the scope of Chapter 401 on behalf of the provider.

- c) Non-instructional contractors who remain at a site where students are not permitted if the site is separated from the remainder of the school grounds by a single chain-like fence six feet in height.
- d) A non-instructional contractor who provides pick-up and delivery services and those services involve brief visits on school grounds when students are present.
- e) Non-instructional contractors who are required by law to undergo a Level 2 background screening per Florida Statute 435.04 for licensure, certification, employment, or other purposes and submit evidence that the contractor meets the screening standards of Florida Statute 435.04, the contractor's license or certification is in good standing, the contractor completed the criminal history check within the immediately preceding five years.

Even though exempt from requirements of subsection 1) and 2) herein, a non-instructional contractor is subject to a search of his/her name or other identifying information against the registration information regarding sexual predators and sexual offenders maintained by the Department of Law Enforcement and the national sex offender registry maintained by the United States Department of Justice. The school district SHALL conduct this search without charge to the contractor.

A non-instructional contractor identified as a sexual predator or sexual offender in the registry search may not be permitted on school grounds when students are present AND the school district shall notify the vendor, individual, or entity under contract within three business days.

- d. Fingerprint/Background checks will also be conducted for all student teachers, pre-intern teachers and college/university field experience students. The cost of fingerprinting will be borne by the individual.
- e. Volunteers/Mentors, who may be in close, unsupervised contact with students, must have a fingerprint/background check. The cost for such a check shall be borne by the individual or the agency, with which the volunteer/mentor works.
- f. Fingerprint/Background checks shall be secured from the Florida Department of Law Enforcement (FDLE) and/or other appropriate law enforcement agencies on any prospective employee. All prospective employees or volunteers shall have their name checked against the FDLE internet sexual predator/sexual offender list.
- g. Applicants or probationary employees who are not employed or are terminated because of their criminal records shall have the right to appeal such decision. The District will notify the applicant, in writing, of the problem and of his/her status. He/She will have the opportunity to send a written explanation of the problem along with official court documents and other requested information

and may request an appointment with the Director of Support or Instructional Personnel Services. The decision of the administration shall be final.

3. Applicants for positions which require the individual to drive a School Board vehicle shall, prior to being recommended for a position, provide their seven-year driving history which verifies compliance with the minimum safe driving standards approved for the appropriate job description. The applicant shall bear the cost of the driving history records.
4. Drug screening shall be required for all support applicants and administrative personnel prior to employment and for all support substitutes prior to approval for use at the expense of the School Board. Former employees who were previously cleared by these drug screening requirements must submit to drug screening upon reemployment if their separation from the Board exceeded ninety days. Such reemployed persons shall bear the cost of the drug screening.
5. The School Board shall bear the cost of required initial physical examinations for applicants as specified by law and as follows:
 - a. Applicants for positions for which a driver's license is required.
 - b. Applicants for positions which involve assigned responsibility of operating or repairing motor vehicles or other motorized equipment.
 - c. Applicants for positions involving the handling of food or pesticides.
6. Principals and District Level Department Heads shall work with the Assistant Superintendent for Human Resources in making recommendations of qualified teacher and support applicants for openings to the Superintendent of Schools. An Interview Reaction Form shall be completed by the applicant and the Principal or District Level Department Head for each applicant considered. The supervisor shall maintain the completed form as required by Records Management policies and statutes.

No applicant may be recommended as a regular or interim teacher or as a regular or limited contract support employee unless that applicant has been screened and approved as recommended by the Human Resources Division. Except as required by Veteran's Preference laws, supervisors are not bound in their recommendations by any order of applicant listings. Rather, Principals and Department Heads are expected to identify the best match, from among qualified applicants, for the position available.

7. Veteran's Preference
 - a. All veterans' preference eligible applicants, as defined in the Florida Statutes shall be given special consideration at each step of the employment selection process. Specifically, all preference-eligible applicants shall be granted an interview.
 - b. If there is more than one step in the application process, a preference-eligible applicant who meets the minimum qualifications for the position shall be advanced to the next step in the selection process.

- c. If an applicant other than a preference-eligible applicant is hired into a position, the person making the recommendation will document the reason for the decision.
 - d. Any employee who is reinstated to employment after separation from the U.S. Armed Forces with an honorable discharge will be given preference in promotion. This preference means that the preference-eligible employee will be promoted ahead of all other employees who are as well or less qualified for the position. This applies to the first promotion after reinstatement only.
 - e. Special consideration for retention will be given to preference-eligible employees where layoffs are necessitated. Documentation will be maintained to confirm preference was given.
8. A former Clay County employee, or Clay County School Board member, who was elected immediately after his/her last teaching, administrative or work assignment in the district, shall be considered for a teaching or support position in Clay County if: he/she has completed an on-line application and, if applicable, has transcript(s) (official or microfilmed) on file; received a satisfactory rating on the last performance evaluation conducted in Clay (if applicable); was recommended for reappointment by his/her last Clay County administrator (if applicable); presents a satisfactory reference, on the required form, from his/her last Clay County administrator; and has not been separated from Clay County for more than two years.
 9. An employee who has served as an Interim Under Contract teacher or as a Limited Contract employee, has met the minimum standards required for hire and has a complete application shall be required to submit only a satisfactory reference completed by his/her Clay County supervisor in order to be considered for regular employment as a teacher or support employee. This exemption from other application requirements shall be valid for the current and next school year only.
 10. A former Clay County teacher or support employee who received a satisfactory evaluation, but was not recommended for reappointment for the following year, ~~shall not be considered for reemployment for one year~~ will be allowed to return to the candidate pool. ~~Subsequently,~~ †The individual may be considered only if a current on-line application, with all required documentation, is submitted and all minimal pool requirements are met.
 11. A former Clay County teacher or support employee who received an unsatisfactory performance evaluation from his/her last Clay County supervisor will not be considered for reemployment in Clay County until a new, complete on-line application is submitted, including a reference documenting satisfactory performance subsequent to Clay County employment. A former Clay County teacher or support employee who received an unsatisfactory evaluation and was not recommended for reappointment by his last Clay County supervisor shall not be considered for reemployment in the district, except as directed by the Superintendent.

12. Any exceptions to these requirements, due to extenuating circumstances, must be approved by the Superintendent. No other exceptions shall be made to these procedures.
13. All applications for employment shall remain active for a period of one year following the date of initial on-line application and may be reactivated upon written notification by the applicant to the Human Resources Division prior to the expiration of the current application period. If an on-line application is inactivated, it must be updated when reactivated, a new application, including a reference and official transcript, will be required before an applicant will be considered for employment. In no case shall an applicant be considered for employment based on an application that is older than two years.
14. Prior to payment of salary, all nominated candidates for positions shall report to the Division of Human Resources for a pre-employment meeting to complete required paperwork. When requirements have been completed for employment, a contract may be offered with the approval of the Superintendent. The Superintendent shall make his nomination at the next regular School Board meeting, but final employment shall rest with confirmation of the School Board.
15. Once an employee has been appointed by the School Board, the employee may be released from contract only through regular resignation or leave procedures or as provided by law.
16. Applicants and employees' eligibility under Section 504, or the Americans with Disabilities Act, and their need for reasonable accommodation, shall be determined on a case-by-case basis. Employment opportunities shall not be denied to applicants or employees with a disability unless reasonable accommodations cannot be provided due to undue hardship or the presence of direct threat to the health or safety of the applicant/employee or others.