

## PROFESSIONAL STAFF HIRING

This policy shall apply to hiring of all staff. Staff consist of all full or part-time regular employees. It does not include contracted vendors nor individuals who fill only stipended positions. This policy recognizes five categories of staff:

1. Instructional staff (those requiring an instructional certification such as teacher, school counselor or librarian)
2. Support staff covered by the ESP collective bargaining agreement
3. Central office staff (non-instructional, non-administrative support staff not covered by the ESP collective bargaining agreement). Some of these staff have supervisory responsibilities.
4. Administrative staff (those requiring administrator certification including Asst. Superintendent, Administrator of Special Education, Building Administrator, Asst. Building Administrator, Teaching Principal, Director of Adult and Community Education, Asst. Director of Adult and Community Education and Curriculum Coordinator/Supervisor) and
5. Superintendent.

This policy and the details provided in the attached regulation GCF-R apply to all five categories of hires. Through its employment policies, the RSU 26 Board shall attempt to attract, secure and hold the highest qualified personnel for all staff positions. The selection program shall be based upon evaluation of candidates who will devote themselves to the education and welfare of the children attending our public schools.

The RSU 26 Board affirms its commitment to the strict prohibition of discrimination in employment on the basis of race (including traits associated with race involving hair texture, Afro hairstyles and protective hairstyles such as braids, twists and locks), national origin, religion, sex, sexual orientation, age, gender identity, or disability, and to the principle of affirmative action to obtain wide and representative candidate pools.

In accordance with 20-A MRSA, § 1001(13), the board shall prepare a process designed to ensure nondiscriminatory practice in recruitment and hiring for all staff positions, as well as to result in selection of the most qualified candidates. This process will conform with 20-A MRSA, § 1001(13) by including:

- A. Creation or reassessment of job descriptions;
- B. Clearly stated criteria for positions;
- C. An interview format that includes questions based on job descriptions and stated criteria.

This process shall be attached hereto as GCF-R, and shall be reviewed periodically by the board. Hiring of instructional staff shall further comply with 20-A MRSA § 13201. In addition, the superintendent shall develop procedural checklists based on regulation GCF-R and best legal advice to ensure compliance with GCF-R. These policies, regulations and guidelines will be used for all staff hires.

Upon each occasion of a staff vacancy, the Superintendent shall review the process and make appropriate adaptations as may be warranted by special circumstances and notify the board immediately of said adaptations. In the case of a vacancy in the Superintendency, the Board shall review the process, adapting as appropriate.

Upon selection of a candidate for any instructional, administrative or central office staff that interfaces with the board (as defined in Table 1 in GCF-R) by the superintendent or designees, selected in accordance with this policy and policies referenced herein, the superintendent will nominate the candidate to the board at a board meeting scheduled and announced in conformance with policy BE. The board may accept or reject the nomination. Upon acceptance the superintendent is authorized to execute a contract in accordance with appropriate laws including but not limited to 20-A MRSA § 13201 for instructional staff and 20-A §13302 for administrative staff. While the Board may accept or reject a nomination, an approval shall be valid only if made with the recommendation of the Superintendent. In the case of a rejection, it is the duty of the Superintendent to make another nomination. Support staff and non-board

interacting central office staff may be hired by the superintendent without board approval so long as the search was conducted in accordance with this policy and policies referenced herein. The hiring decision for a superintendent shall be made solely by the board in accordance with 20-A MRSA, § 1051 as set forth in this policy and attached regulations.

In the period over the summer after the board's last meeting in June and more than one week prior to the board's first regularly scheduled meeting in August, the superintendent and board chair may call a special meeting to approve the hire.

Legal Reference: 20-A MRSA § 1001(13).  
20-A MRSA § 1051  
20-A MRSA § 13201 et seq.

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action  
GBJ – Personnel Records and Files

Adopted: 6/23/2020

## RECRUITING AND HIRING OF STAFF PROCESS

This regulation implements the Board's policy GCF and is designed to establish a thorough, efficient and nondiscriminatory practice for the recruiting and hiring of the most qualified candidates for administrative positions.

### Authorization to initiate a hiring process:

The superintendent shall be authorized to initiate a hiring process for any staff position in compliance with the process described below under "Process to hire" if any of the following apply:

- 1) A mid-school-year resignation requires an immediate replacement to continue educational services at the current level
- 2) An end of the school year resignation creates a vacancy and that vacancy is included in the final budget adopted by the board (it should be considered final when a vote is taken that initiates the creation of warrants, typically at the end of April or early May)
- 3) A new position is included in the final adopted budget by the board
- 4) The superintendent makes a request to the board to initiate a hiring process and the board approves it by a vote at a regularly scheduled board meeting

If the superintendent anticipates any of conditions 2-4 being fulfilled in the near future, they may begin steps A (Job Description Development/Review) and B (Recruitment) from the next section prior to board approval, but they may not begin steps C or later until the relevant condition of 2-4 has been fulfilled. In such circumstances any advertisement placed should include language along the lines of "Conditional upon budget approval from the board".

Authorization to initiate a hiring process under this section does not in any way modify, reduce or eliminate the policy and statutory requirement to nominate the hire for board approval prior to offering a contract as described in section F below.

### Process to hire:

Throughout this policy, the phrase "the board" shall be read in place of the phrases "Superintendent/designee" and "Superintendent or designee" for searches to fill the superintendent vacancy.

The following stages should be followed in order for any staff hire.

#### A. Job Description Development/Review

To ensure that a written role description of the vacant position accurately represents the current functions and needs, the Superintendent/designee is to:

- 1 Conduct a review of (if none exists, develop) the job description, with input from persons affected by the position;
- 2 Include the criteria (skills, knowledge, abilities) required to perform the duties/responsibilities of the position; and
- 3 List the minimum qualifications (training, education and experience) for the position.
- 4 A copy of the final job description or job advertisement will be provided in writing (including by email) to the board. This will notify the board that a hiring has been initiated.

#### B. Recruitment

To attract a strong pool of qualified candidates, the Superintendent/designee is to advertise (except in the circumstances described in the section on Hiring Current Employees below) by:

- 1 Posting notice of the vacancy within the unit consistent with the terms of the current collective bargaining agreement;
- 2 Placing a display advertisement in appropriate print media, Serving Schools, and considering at least one appearance in a major Maine weekend or Sunday newspaper; and
- 3 Identifying and notifying other possible sources of potential candidates, such as professional associations, educational administration programs and placement offices at colleges and universities in Maine and other states, and the Maine Department of Education.
- 4 Any advertisement should contain language notifying that RSU 26 is an EEO hirer
- 5 All candidates will be required to fill out, sign and submit a standard form developed by superintendent or designee which asks candidates to disclose current certification status, reasons for past non-renewals or requests to resign, and past criminal convictions, and giving permission to the RSU to conduct an independent criminal background check.

### **C. Creation and training of a search committee**

1. Empirical studies have shown that having a search committee composed of diverse members bringing diverse perspectives leads to better and less discriminatory hiring decisions, so all search committees will emphasize diversity and diverse perspectives in its composition.
2. The search leader will be selected in accordance with Table 1.
3. The search leader will propose a search committee that is in accordance with requirements of Table 1 to the superintendent. If the superintendent believes the search committee is appropriate and adequately diverse the superintendent will approve the search committee. If the position is instructional, administrative or central office staff that interfaces with the board (as defined in Table 1), the superintendent will forward the composition of the search committee to the board, which may express any concerns about composition of the committee to the superintendent.
4. The search committee will be presented (in person or online so long as questions can be asked) with a standard training prepared by the superintendent or designee that covers:
  - a. best practices for hiring excellent candidates
  - b. non-discrimination law and the intent of the district to be an EEO employer including guidance from the Maine Human Rights Commission on non-discriminatory hiring
  - c. responsibilities of confidentiality including not disclosing who was a candidate nor any of the discussions or comments made during the search committee to anybody except the search committee, superintendent and RSU 26 board members
  - d. the fact that members notes must be submitted to search leader at the end of search for storage in records and how to take appropriate notes (factual and only on job-performance related criteria)
  - e. how to handle conflicts of interest
    - i. search committee members who discover (after applications are submitted) that one of the applicants is a parent (including step-parents), child (including step-children), sibling, or business partner will resign from the search committee and may be replaced

- ii. search committees who have a prior relationship with an applicant (e.g. past professional relationship, relative more distant than in (i) above, or know as a member of the same community) will disclose this relationship verbally to the full search committee. The search committee member may chose to step down or the search leader may ask the committee member to step down if the relationship seems too close to be objective, but generally prior knowledge of candidates may be useful and is often unavoidable in a small town in a small state and is best dealt with by full disclosure to the search committee.
  
- f. Only the search leader is to perform internet searches for news or social media on candidates to avoid introducing discriminatory information to search committee members. The search leader will only share information with the search committee if it is job performance related and is non-discriminatory.
  
- 5. Each search committee member will be given a copy of the presentation and will initial each page and sign and date committing to conform to these expectations. Such sharing of documents and signing may be done on paper or electronically. These signed training documents will be retained as described below under record keeping.
  
- 6. If a search committee member is unable to continue, the search should continue but a reasonable attempt should be made to replace them by somebody with a similar role in the district if time allows.
  
- 7. Similarly, if one of the slots required in Table 1 is unable to be filled, the search may proceed but efforts to fill that slot should continue

Hiring Category	Search Leader	Search Committee Composition (in addition to search leader)
Instructional staff (e.g. Teacher, Librarian, Counsellor)	Superintendent or designee, often a principal of one of the buildings the employee will work in or special education director for special education teachers	Typically 5-7 people including representatives from all of: <ol style="list-style-type: none"> <li>1. Teachers or instructors likely to work with the position</li> <li>2. Parent(s)</li> <li>3. Student(s) (for instructors at OHS)</li> <li>4. A board member (in consultation with board chair)</li> </ol> And may include if helpful: <ol style="list-style-type: none"> <li>5. Other administrators who might work extensively with the position</li> <li>6. Expert(s) in the subject area from the community or university or members of the university education school may optionally be included</li> </ol> If the position is to work in multiple schools, representatives from all such schools should be included.
Support staff (e.g. Ed Techs, Custodial, Food Service, Administrative Assistant)	Superintendent or designee, often a principal of one of the buildings the employee will work in or special education director for special education staff	Typically 3-5 people including representatives from all of: <ol style="list-style-type: none"> <li>1. Peer staff likely to work with the position</li> <li>2. Teachers or instructors in the school</li> </ol> And may include if helpful: <ol style="list-style-type: none"> <li>3. Other administrators who might work extensively with the position</li> </ol> If the position is an administrative assistant that will substantially interface with the public then additionally: <ol style="list-style-type: none"> <li>4. Parent(s)</li> <li>5. A board member (in consultation with board chair)</li> </ol>
Administrator (e.g. Principal,	Superintendent	Typically 10-15 people including representatives from all of:

Special Education Director, Curriculum Coordinator) not including the superintendent		<ol style="list-style-type: none"> <li>1. Teachers or instructors likely to work with the position</li> <li>2. Another administrator</li> <li>3. Parent(s)</li> <li>4. A student (for OHS and SPED director)</li> <li>5. Two board members (in consultation with board chair)</li> </ol> <p>Additionally a short list of 1-3 candidates will be identified. These candidates will attend community forum(s) with an open invitation to:</p> <ol style="list-style-type: none"> <li>1. Staff</li> <li>2. Parent/community</li> </ol> <p>where attendees may ask questions</p> <p>If the position is to work in multiple schools, representatives from all such schools should be included.</p>
Central Office Staff who interact with board (Food Services Director, Facilities Director, Business Manager, Administrative Assistant to Superintendent)	Superintendent	<p>Typically 5-7 people including representatives from all of:</p> <ol style="list-style-type: none"> <li>1. Administrators (other than the superintendent)</li> <li>2. Peer central office staff</li> <li>3. Support staff who would report to this person</li> <li>4. A board member (in consultation with board chair)</li> </ol> <p>And may include if helpful:</p> <ol style="list-style-type: none"> <li>5. Expert(s) in the subject area from the community or university</li> </ol> <p>If the position is to work in multiple schools, representatives from all such schools should be included.</p>
Other Central Office Staff	Superintendent or designee	<p>Typically 2-4 people including representatives from all of:</p> <ol style="list-style-type: none"> <li>1. Peer central office staff</li> <li>2. Support staff who would report to this person</li> </ol>
Superintendent	Board Chair	<p>Similar in composition to that listed for administrators except that the committee may be larger, and will represent all schools, include all board members, and include a representative from the non-school Orono community. Community forum(s) as described for administrators will also be conducted.</p>

**Table 1**

**D. Screening**

To ensure that a fair and efficient screening process will occur, the Superintendent/designee is to:

1. Ensure that all applications are reviewed by the search committee. Initial screening and assessments of candidates may be done in person, in an online meeting, or via an online form but in all cases an opportunity to discuss must be supported if any search committee member requests it. All applicant materials must be treated as confidential and appropriately protected.
2. Eliminate all candidates who do not meet the minimum qualifications; Select candidates for interview based on the degree to which they meet the criteria and demonstrate the skills, knowledge and abilities outlined in the job description;
3. Any notes taken should be retained. The search leader should provide brief summary reasons for candidates eliminated or retained;and

- 4 Notify applicants not selected for interview.

#### **E. Interviewing**

The search committee is to:

- 1 Review the job description
- 2 Design interview questions which match the criteria and the duties/responsibilities outlined in the job description; and
- 3 Provide equal opportunity for the candidates to respond to the same questions/questioners.
- 4 Interview the identified candidates using the interview questions

#### **F. Selection**

The search committee is to:

- 1 Individually assess the candidates according to their answers to the job description-related questions, rating and commenting on each; and
- 2 Submit a report to the Superintendent/designee, including a summary of committee feedback on the candidate's qualifications for the jobs as well as a list (usually 2 to 4) of candidates to be considered further for the position. The search committee may rank the candidates if they wish, but this is not binding on the Superintendent/designee

The Superintendent/designee is to:

- 1 Have reference contacts made, as appropriate, to check perceived strengths and weaknesses of the candidates;
- 2 Review the material on the finalist candidates to determine whether additional information is needed;
- 3 Conduct final interviews of any or all finalists, as deemed necessary;
- 4 Even if the superintendent has delegated responsibility for the search to a designee, the superintendent may choose to interview finalists or the final candidate;
- 5 Cause a national criminal background check to be conducted. If criminal convictions are identified the superintendent shall use their discretion in whether to hire. If the superintendent decides to proceed with hiring, all felonies and any misdemeanors of a violent or sexual nature will be disclosed to the search leader and, if board approval is required for the position, to the board;
- 6 Select the most qualified candidate who fits the criteria and the duties/responsibilities outlined in the job description, based on his/her own professional judgment along with those of the interview panel (or, reject all finalists, reopen the position and begin the process anew); and

#### **G. Nomination/Employment**

**For the hiring of instructional staff, administrators, and central office staff who interact with the board (as defined in Table 1) Superintendent is to:**

- 1 Notify and obtain agreement of the successful candidate, pending Board approval;
- 2 Inform the search committee; and
- 3 Meet in executive session with the board and hiring leader to discuss the candidate and hiring process if a board member requests this be placed on the agenda (if such discussion occurs the hiring leader should be prepared to share strengths and weaknesses of the nominated candidate, reasons for preferring over other finalists, candidates CV, the search committee membership, interview questions and other relevant information); and
- 4 Nominate to the board in open session the candidate for the position so that the board may either approve the nomination or decline the nomination by vote in an open meeting.
- 5 Execute a contract with the candidate after board approval

For support staff and central office staff not interacting with the board (as defined in Table 1) where a nomination to the board is not required, the superintendent is authorized to execute a contract without board approval.

#### **H. Notification**

Upon board approval if required per section G or otherwise immediately, the Superintendent/designee will:

- 1 Notify the nominee of the Board approval and employ the chosen candidate; and
- 2 Notify the other candidates interviewed.

#### **I. Orientation and Support**

To ensure that the new employee is provided with the proper information about the system and job expectations, the Superintendent/designee is to provide an orientation that includes expectations of the duties/responsibilities of the position along with the policies and procedures of the local school unit.

#### **Additional requirements for hiring process**

All staff hiring processes are expected to conform with the following requirements:

### **Record Keeping**

All notes taken during screening, selection and interview should be retained. The search leader should provide brief notes explaining the decision for each candidate at each step. Records should demonstrate that all participants in the search process were trained in anti-discrimination and confidentiality policies and laws. To ensure that the confidentiality of employee and applicant records are properly maintained, the Superintendent is to provide for the maintenance in secure files of all applications and documentation of the hiring, screening and interviewing process for a period of three (3) years.

Among the items that should be retained in the hiring records are:

1. Evidence that all committee members were made aware of RSU 26 policies on non-discrimination and confidentiality, received training in non-discriminatory hiring practices, and committed to maintain confidentiality
2. A copy of all documents including all applications, the job description and advertisements, and interview questions
3. Any notes taken by committee members
4. Notes taken by the search leader explaining the factual, job-related basis for decisions taken at each step (screening, interviewing, reference checks, hiring)

### **Confidentiality**

To ensure that confidentiality is maintained throughout and permanently following the hiring process, the Board, all employees involved, and any other participants are to maintain absolute confidentiality about candidates, including names, in accordance with Maine law (20-A MRSA § 6101). The Board is to assume responsibility through the Superintendent for providing adequate orientation at appropriate stages of the process, including at the completion.

### **Hiring of Current Employees**

The school unit may forego one or more of the steps set forth in sections B-E of this regulation and appoint a person who is currently employed by the unit to fill an open position only if the Superintendent, determines that the following circumstances exist (the superintendent shall consult with the board to fill administrative positions):

- 1 The currently employed candidate is exceptionally well qualified for the position; and
- 2 The decision to forego all or part of the recruitment and screening process will not detract from the goals of this policy.

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