

### **3.19–LICENSED STAFF EMPLOYMENT**

All licensed professional personnel employed by the Benton School District must possess qualifications set forth by the State Department of Education. It is recognized by the Board of Education that these qualifications are set up to promote minimum standards; therefore, the policy of the Benton School District is to employ persons who exceed these minimum requirements whenever possible:

If the employee provides false or misleading information, or if he withholds information to the same effect, it may be grounds for dismissal. In particular, it will be considered a material misrepresentation and grounds for termination of contract of employment if an employee's licensure status is discovered to be other than as it was represented by an employee or applicant, either in writing on application materials or in the form of verbal assurances or statements made to the school district.

It is grounds for termination of contract of employment if an employee fails a criminal background check or receives a true report on the Child Maltreatment Central Registry check.

An individual with a currently suspended license or whose license has been revoked by the State Board of Education is not eligible to be employed by the District; this prohibition includes employment as a substitute teacher, whether directly employed by the District or providing substitute teaching services under contract with an outside entity.

The District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, age, disability, or genetic information.

Inquiries on non-discrimination may be directed to the District Equity Coordinator, who may be reached at (501)776-5710. Inquiries on 501 issues may be directed to the Director of Special Services, who may be reached at (501) 776-5701.

For further information on notice of non-discrimination or to file a complaint, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

In accordance with Arkansas law, the District provides a veteran preference to applicants who qualify for one of the following categories:

1. a veteran without a service-connected disability;
2. a veteran with a service-connected disability; and
3. a deceased veteran's spouse who is unmarried throughout the hiring process;

For purposes of this policy, "veteran" is defined as:

- a. A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; or
- b. Any person who has served honorably in the National Guard or reserve forces of the

United States for a period of at least six (6) years, whether or not the person has retired or been discharged.

In order for an applicant to receive the veteran's preference, the applicant must be a citizen and resident of Arkansas, be substantially equally qualified as other applicants and do all of the following:

1. Indicate on the employment application the category the applicant qualifies for;
2. Attach the following documentation, **as applicable**, to the employment application:
  - Form DD-214 indicating honorable discharge;
  - A letter dated within the last six months from the applicant's command indicating years of service in the National Guard or Reserve Forces as well as the applicant's current status;
  - Marriage license;
  - Death certificate;
  - Disability letter from the Veteran's Administration (in the case of an applicant with a service-related disability).

Failure of the applicant to comply with the above requirements shall result in the applicant not receiving the veteran preference; in addition, meeting the qualifications of a veteran or spousal category does not guarantee either an interview or being hired.

#### **I. SELECTION OF LICENSED PERSONNEL**

Appointments of licensed personnel shall be made by the Board of Education upon consideration of recommendations made by the Superintendent or Designee through Principals when applicable. The selection process will be based on the following criteria:

- A. Credentials/qualifications for the position
- B. Personal interview
- C. Quality of reference checks

#### **II. GUIDELINES AND PROCEDURES**

Applications for employment in the Benton School District for licensed personnel will be distributed, received, and filed in the Office of the Director of Personnel. Any person interested in seeking employment in the Benton School District should contact that office. The Director of Personnel will then screen and refer applicants to building principals.

#### **III. WHEN AN OPENING OCCURS**

- A. The Director of Personnel will advertise the position and applications will be accepted for a reasonable length of time.
- B. Positions that require supervision or evaluation of district personnel will be advertised on the state's AAEA website and within the district.
- C. Potential candidates are then contacted by the lead administrator for interviews. The hiring process will be a collaborative effort. The lead administrator has the

option of including specialty area people in the selection process. However, music, athletics and special education supervisors will be included in the process when hiring in their respective areas. All interview teams will consist of a minimum of three (3) members, two of which will be administrators.

D. Final selection will be based on the criteria listed above in Section I. E.

The recommendation process is stated above in Section I.

The District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, age, disability or genetic information.

Legal References:     A.C.A. § 6-17-410  
                           A.C.A. § 6-17-411  
                           A.C.A. § 21-3-302  
                           A.C.A. § 21-3-303  
                           28 C.F.R. § 35.106  
                           29 C.F.R. part 1635  
                           34 C.F.R. § 100.6  
                           34 C.F.R. § 104.8  
                           34 C.F.R. § 106.9  
                           34 C.F.R. § 108.9  
                           34 C.F.R. § 110.25

Date Adopted:        03/13/2000  
Last Revised:        04/18/2016