

## CHAPTER 6.00 – PERSONNEL

### APPOINTMENT OR EMPLOYMENT REQUIREMENTS

6.17\*

Any person desiring employment shall file a completed application on the form provided by the District.

- I. Qualifications
  - A. Must be of good moral character.
  - B. Must have attained the age of eighteen (18) years with the exception of students employed by the Board.
- II. Certificate requirements - Each applicant for an instructional or a certificated administrative position shall hold a certificate or shall have a receipt from the Florida Department of Education acknowledging that an application has been filed and that issuance of the certificate is pending.
  - A. To be considered for a position, an applicant shall be duly qualified for that position in accordance with state law, regulations of the Florida Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the annual contract of employment as approved by the School Board.
  - B. Any person not holding a valid Florida certificate at the time of employment shall be required, upon initial employment, to make application to the Florida Department of Education for such a certificate, through the Human Resources Department of the District. When such certificate is received, it must be filed with the office of the Superintendent. If the Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.
- III. Interviews and Appointments
  - A. When interviews are conducted by interview teams, including those with community representatives, the team shall reasonably reflect the District's diverse racial, ethnic, and gender composition.
  - B. The Superintendent or designee shall monitor and ensure that appointments and assignments are consistent with the District's intent of maintaining a diverse work force.

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### IV. Driving Record

- A. The driving record of each applicant for the position of school bus operator or for any position that would require the person to drive a School Board vehicle shall be reviewed to determine if the record contains any infractions of the driving code that would make the applicant unqualified for the position in accordance with the District safe driver plan.
- B. The driving record of each current school bus operator shall be reviewed prior to the first day of the fall semester and periodically during the school year to determine if the record contains any infractions of the driving code that would make the operator unqualified for the position in accordance with the District safe driver plan. The driving record of any employee who is required to drive a School Board vehicle shall also be reviewed periodically during the year to determine whether the employee may continue in the position.

V. Fingerprinting – Each new instructional or administrative staff member and each member of the non-instructional staff who is employed in a position having direct contact with students shall be fingerprinted prior to payment of any salary warrant. Costs shall be borne by the applicant.

V. Physical Examinations - Each new employee will file completed medical examination forms prior to their start of employment.

### VI. Pre-employment Drug Testing

- A. Purpose - The intent of this policy is to implement pre-employment substance screening in an effort to further eliminate substance abuse and its effects in the classroom and offices. While the School Board of Sarasota County, Florida (the “School Board”), has no intention of intruding into the private lives of its future employees, involvement with drugs can reasonably be expected to produce impaired job performance and pose a threat to employee and student safety. Our concern is that future employees are in a condition to perform their duties safely and efficiently, in the best interest of their students and co-workers. This policy applies to all applicants for administrative, instructional and classroom aide positions with the School Board. This policy applies to all substances; drugs; or medications, legal or illegal, which could impair an employee’s ability to effectively and safely perform the functions of the job. All persons covered by this policy should be aware that violations of the policy may result in not being hired.

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- B. Procedures - Applicants for administrative, instructional and classroom aide positions: pre-employment drug screening will be required for applicants of all administrative, instructional and classroom aide positions prior to, and as a condition of, final employment with the School Board. The term *applicant* refers to a person who has applied for an administrative, instructional or classroom aide position with the School Board, and has been offered employment conditioned upon successfully passing a drug test. Temporary part-time employed to teach courses through Adult and Vocational Education are exempt from the requirement of this policy.
1. Applicants will be referred to a School Board approved, independent, certified collection site. Applicants must complete and present a signed and witnessed authorization for substance screening form to the Human Resources Department. The School Board will not accept results from any laboratory or collection and testing procedures are set forth in the *Applicant Handbook* on file in the Human Resources Department.
  2. It will be the responsibility of the applicant to pay for any and all costs related to these tests.
  3. A positive result from a drug analysis will result in the applicant not being hired unless the applicant can produce verification of a valid current prescription for the drug identified in the drug screen.
  4. Within five (5) working days after receiving notice of a positive confirmed test result, the applicant shall be allowed to submit written information explaining or contesting the test results. If the applicant's explanation is unsatisfactory, the Human Resources Department shall provide a written explanation as to why, along with a copy of the report of positive results, within fifteen (15) working days of receipt of explanation or challenge. All such documentation shall be kept confidential by the School Board and shall be retained for at least one year.
  5. In the absence of a valid current prescription, or the ability to provide evidence to satisfactorily explain the test results, applicants testing positive will not be eligible for employment with the School Board for one year from the date of the drug screen results that are received by the School Board.
  6. Refusal to submit to a drug screening will be grounds to refuse to hire the applicant.

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- C. Confidentiality - Laboratory results or test results shall not appear in an employee's general personnel records. Information of this nature will be contained in a separate medical file that will be appropriately maintained by the Executive Director of Human Resources. The reports or test results may be disclosed to School Board administrators on a strictly need-to-know basis and to the tested employee upon request. Disclosures without employee consent may also occur when:
1. The information is compelled by law or by judicial or administrative process;
  2. The information has been placed at issue in a formal dispute between the employer and employee;
  3. The information is to be used in administering an employee benefit plan; and
  4. The information is needed by medical personnel for the diagnosis or treatment of the employee in the event the employee is unable to authorize disclosure.

**STATUTORY AUTHORITY:** 1001.41, 1012.22, 1012.23, F.S.

**LAW(S) IMPLEMENTED:** 381.0056, 1001.43, 1012.22, 1012.27, 1012.32, 1012.39, 1012.465, 1012.56, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-3.0141

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**NOTES:** Please Refer To: Human Resources Procedures Manual