

Hiring or Not Rehiring Guidelines

Purpose: These guidelines will be used by TUSD HR team members to assist in providing consistency when processing hiring and non rehiring personnel actions.

Tucson Unified School District is committed to a policy of nondiscrimination based on disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin. This policy will prevail in all matters concerning Governing Board, District employees, students, the public, educational programs and services, and individuals with whom the Board does business.

The District may consider former employees for reemployment for individuals that separated from TUSD in good standing. All applicants for employment to include former employees are subject to TUSD's hiring and selection policies and procedures, including reference and background checks.

TUSD reserves the right to hire the best qualified applicants to ensure they provide excellent education to support our *STUDENTS* throughout the District.

1) Who's eligible for hire or rehire to TUSD

- a) New applicants, who meet all the minimum qualifications for the position they are applying for, and pass the required security clearance and reference requirements, could be considered for employment with the District.
- b) Former employees who resigned in good standing could be consider for reemployment providing they clear all the required clearances and reference checks, and possess the minimum qualifications for the posted position.

2) Who's not eligible for hire or rehire with TUSD

- a) Former employees who violated District policies and were terminated or resigned in lieu of termination.
- b) Former employees placed in the Non-Referred list (AKA 500) files are not eligible for rehire.
- c) Applicants who receive poor references may not be eligible for hire.
- d) Applicants who cannot clear background checks or obtain a valid IVP Fingerprint Clearance Card are not eligible for hire.
- e) Substitutes who have been terminated by the district for performance or conduct related issues could be placed in the non-referred list.

3) HR processing of Separation Agreements or other non-referred actions

- a) Separation Agreements are provided to Human Resources by the Legal Department.
- b) Administrators must initiate the Personnel Action Form (PAF) supporting the Separation Agreement. If the PAF is not received, HR will notify the respective Assistant Superintendent and request the PAF be completed that day. The PAF and the Separation Agreement should to be kept together through the personnel action process to support PeopleSoft and AppliTrack coding.
- c) HR will provide copies of such PAF's to PC, Labor Relations, HR Records and Payroll, for their pending files and actions.
- d) Separation Agreements that directly state the individual is not eligible for rehire will be placed in the non-referred (AKA 500) files. In addition, a remark will be noted in AppliTrack indicating that the applicant is not eligible for rehire.
- e) If a Separation Agreement does not specify the rehire status, AppliTrack will be marked as "pending rehire clarification" from the respective Secondary or Elementary – K-8 Assistant Superintendents. Once clarification is received, AppliTrack will be noted accordingly.

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- i) If a former employee signed a separation agreement in lieu of disciplinary action(s) for misconduct, the applicant is not eligible for rehire.
 - ii) If a former employee signed a separation agreement due to performance issues and/or to avoid a Plan of Improvement, the applicant might be able to return to the District after a period of two (2) year from the date of separation. After the two years, the applicant can appeal the non-rehire status. The applicant must meet the minimum qualifications for the position applied for, and pass all required reference and security checks. Providing everything clears, the applicant could then be considered for employment.
 - iii) Former employees who were terminated due to misconduct will not be considered for substitute positions.
 - iv) If terminated for reasons other than misconduct, the applicants could be considered for substitute positions, on a case by case basis.
- 4) Maintaining the Non-Rehire files
- a) The Non-Referred (AKA 500) file can include; but is not limited to the following documents:
 - i) Separation Agreement
 - ii) Statement of charges
 - iii) Resignations in lieu of terminations
 - b) Any other supporting documentation used in determining the employee's or applicant's non-hire or rehire status will be maintained in the 500 file.
- 5) Right to Appeal Non-Rehire Status
- a) Any individual who is on the do not hire file/list has the right to appeal this status. This should be requested no later than 5 years from the termination date. Other appeals however, could be considered, if extenuating circumstance precluded the 5 year deadline.
 - b) A letter must be submitted to the CHRO requesting reconsideration of employment with the District. The letter must articulate the reason(s) for the appeal.
 - i) The CHRO or designated representative can deny the request for employment or reemployment with the District.
 - ii) The CHRO can modify in part or in whole; the hire or non-rehire status, if supporting evidence and research proves and/or warrants such actions.
- 6) The information contacts are:

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Or

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