



## **SECTION V: EMPLOYEES**

## **POLICY 5340**

### STAFF POSITIONS, EMPLOYMENT, ASSIGNMENT, AND TERMINATION

#### Purpose

The purpose of this policy is to establish guidelines for the creation of new positions, and employment, assignment, and termination of all staff employed by the District.

#### New Positions

The Superintendent will be responsible for the creation of all new positions in the District, except for new Cabinet positions (typically reporting directly to the Superintendent), which will require approval by the Board of Education prior to creating the position. The Board will be notified in writing of all newly created administrative positions.

#### Employment

The Superintendent or designee will make all recommendations of employment in writing to the Board of Education for its approval. Such recommendations shall include a designation as to whether the employee is filling a newly created position or is a replacement in an existing position.

In the event of a position vacancy, the Board of Education authorizes the Superintendent or designee to hire new, replacement, temporary, and/or substitute employees and issue payment thereto, prior to Board approval, if it is determined that filling the position(s) is in the best interest of student education, or the safe and efficient operation of the District. Approval of hiring of the employee must be placed on the next Board of Education regular or special meeting agenda.

Broken Arrow Public Schools will make every effort to be fully informed as to the personal character and qualifications of those applicants to be recommended for the employment. All applicants must sign an authorization allowing the District to obtain all employment information deemed relevant from the applicant's prior employers. Failure or refusal of an applicant to sign an authorization shall result in the applicant no longer being considered for any position in the District. The District may contact any former employer or other persons deemed appropriate concerning the personal character and qualifications of applicants. As provided or required by law, additional steps will be taken to secure information regarding the applicant's driving record and criminal/felony record, if any. Any misinformation or misrepresented information provided to the District by the applicant/employee may be grounds for immediate removal from consideration and/or employment.

#### Assignment of Personnel

Individuals hired by Broken Arrow Public Schools are employees of the District. The specific assignment of personnel is an inherent managerial right. Subject to applicable law and any negotiated collective bargaining agreement, and notwithstanding other provisions of this policy, the Superintendent shall have the authority to assign or reassign any employee to any approved position for which the employee is certified and/or qualified and which is deemed to be in the best interest of the District.



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#### Posting of Vacancies

The District will post vacancies for administrator or certified positions, subject to applicable law and any negotiated collective bargaining agreement. Vacancies that occur (either through creation of a new position or an existing position becoming vacant) will be posted on the District's employment website for a period of at least five (5) days. Posted positions may be site or position specific, or may be pool positions if the position location is not yet determined or multiple positions in the District are available. Postings may be limited to viewing by District applicants only, or made available to both District and external applicants.

Support positions will also be posted. At the discretion of the department manager or site administrator, the posting may be limited to department personnel, District applicants, or made available to both District and external applicants, depending on availability of qualified personnel within the department or District.

#### Termination of Employment

Termination of employment may occur as a result of resignation, retirement, nonrenewal, dismissal or death of the employee. An employee desiring to resign shall give their immediate supervisor written notice at least two weeks prior to the resignation effective date. Certified employees must provide written notice of their intent not to be re-employed for the following school year no later than 15 days after the first Monday in June. If not so notified, it is the right of the District not to release an employee from his/her contract for the next school year. The length of time of any required notice may be waived by the Superintendent for good cause, and the Board authorizes the Superintendent or designee to accept all such resignations which shall be effective at the close of business on the date of the Superintendent's or designee's acceptance.

Employees are encouraged to notify the District as soon as practicable of their desire to retire from employment with the District, but not later than specified in the previous paragraph.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*  
*Broken Arrow Board of Education policy revised, April 22, 2013.*  
*Broken Arrow Board of Education policy revised, July 14, 2014.*  
*Broken Arrow Board of Education policy revised, July 10, 2017.*  
*Broken Arrow Board of Education policy revised, May 9, 2022.*