



## **PERSONNEL**

**5100**

### Hiring Process and Criteria

The Board of Directors has the legal responsibility of hiring all employees. The Board assigns to the Executive Director the process of recruiting personnel and hiring all classified personnel. The Executive Director may involve various administrative and teaching staff as may be needed in recruiting potential personnel. All certificated personnel selected for employment must be recommended by the Executive Director or designee and approved by the Board. All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

To aid in obtaining quality staff members, the following non-exclusive list of factors will be considered, along with any other factors relevant to the position: qualifications, training, experience, personality, character, and ability to relate well with students. Every effort will be made to maintain wide diversity in staff experience and educational preparation. However, the welfare of the children of the Charter School will be a paramount consideration in the selection of teachers and administrators.

All applicants applying for a certificated position who are pursuing an alternate route to certification shall be considered on a case-by-case basis. They must hold or demonstrate ability to hold any state certification required for the position and demonstrate they meet the alternate route requirements.

Except where otherwise specified, this policy applies to the hiring of all certificated and classified staff members in the School except for the Executive Director. This policy shall be made available to any Charter School employee or person seeking employment with the School.

### Guidelines

1. There will be no discrimination in the hiring process. See Policy 5120.
2. If the vacant position is that of the Executive Director, the hiring process and the review of all applicants is the responsibility of the Board of Directors.
2. Applicants for teaching and administrative positions shall provide evidence of meeting State requirements for certification as described below and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to the Charter School all information relating to job performance or job related conduct, and making available to the School copies of all documents in the applicant's previous personnel files, investigative files, or other files. Such statement will also



release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The Charter School will consider information received from current and past school district employers only for the purpose of evaluating applicants' qualifications for employment in the position for which they have applied. No School employees shall disclose this information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants' qualifications for employment. Applicants may be employed on a non-contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the Charter School's request. See Forms 5100F1 and 5100F2.

3. Applicants must meet the applicable State standards for the position they are applying for. Applicants for high school and middle school teaching positions should have a major or its equivalent in the field they will be teaching). Applicants for elementary school teaching positions should have a major or its equivalent in elementary education or in their area of assignment(s).
4. When considering assignments coaching secondary students, preference for hiring will be given to qualified certificated professional employees in the school where the coaching vacancy exists. The Executive Director will be responsible for assuring that all qualified and interested applicants within the building have been given consideration. Giving such individuals consideration does not mean that such an individual will necessarily be retained for a coaching position. Another individual who is not a certificated School employee may receive the position in question.
5. As required in Idaho Code 65-505, the Charter School will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees, or implementing a reduction in force.
6. As required in Idaho Code 33-130 and 33-512(15), the School will conduct a criminal history check for applicable positions. See Policy 5110.
7. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.
8. Applicants must have an understanding of the Charter School mission and vision and a desire to meet the intent of the Charter School in addressing its unique reason for establishment.



The employment of any certified staff member is not official until the contract is approved by the Board and signed by both the Board Chair and the applicant.

To assist administrators in complying with the above policy for the hiring of staff, the following guidelines shall be utilized when hiring certificated staff:

### Notice of Vacancies

The Executive Director shall develop procedures for the posting of available positions within the Charter School.

1. Job Vacancy Notices: Any notice from the Charter School will contain the following information:
  - A. Position available and job description.
  - B. Requirements for completed application, as applicable for position. For a certificated position, these include but are not limited to:
    - a. A completed Charter School application form;
    - b. Official transcripts of all university or college credits;
    - c. A placement center file;
    - d. A personal resume; and
    - e. Verification or eligibility of Idaho certification.

For all positions, a signed statement/release for current and past school district employers is required.

- C. Timeline for receiving application.
  - D. Process notification of how applications will be handled.
2. Application Procedures for Certificated Positions: It will be the responsibility of any applicant to provide the information required for a completed application listed above.
  - A. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.
  - B. It will be at the discretion of the Executive Director or the appropriate administrator to determine whether such deadlines should be extended to accommodate individuals where placement center files, transcripts, or other materials are not yet received by the Charter School for consideration. Such time extension will be restricted to a reasonable time frame.



- C. In addition to the certification information provided by the applicant, the Charter School will also request from the Office of the Superintendent of Public Instruction verification of certification status, any past or pending violations of the professional code of ethics, any detail as to any prior or pending conditions placed upon a certificate holder's certificate, any prior or pending revocation, suspension, or the existence of any prior letters of reprimand and information relating to job performance.
- D. Within three business days of receipt of the statement releasing information from prior school district employers, as required by I. C. 33-1210, such statement shall be sent to the prior employers with a request for release of information and documentation to be provided as required by that section.

Because responses to such requests may take up to 20 days, or possibly more for out-of-state school district employers, information received pursuant to such request may be reviewed prior to or after interviews have been concluded, at the discretion of the Charter School. Where possible, such information should be utilized as part of the screening process. However, due to considerations of time, such early review may not be possible, and such information received pursuant to this process may be reviewed or utilized up to any time prior to offering employment to an applicant or during an applicant's period of provisional employment.

- E. Upon receipt of the completed applications, those applications will be placed in a file for review and consideration at the Charter School Office.

### Preliminary Screening

For certificated and classified vacancies, at either the time the job vacancy is published, or prior to the conclusion of the application period, the Executive Director will provide notice to the appropriate administrator of the desired number of qualified individuals to be included in the "screening pool". The screening pool shall be defined as the number of individuals having completed applications that may be submitted to the administrator for final screening. In the event the open position is deemed by the Board to be an administrative or director position, the size of the screening pool shall be determined by the Executive Director.

### Screening



1. The administrator may establish a committee to assist in the final screening process for certificated positions. This committee will act in an advisory capacity to the Executive Director and to the Board.
2. The committee, upon receiving the written applications from the administrator, will review those applications for the purpose of:
  - A. Determining those most suited to the position;
  - B. Making personal telephone contact with one or more references submitted by the applicant;
  - C. Contacting individuals who might know the candidate, but were not listed as references, if needed; and
  - D. Inviting the top candidates to be interviewed for the position.
3. The Executive Director will establish the procedures at the building or program level for interviewing the successful applicants and will have thoroughly vetted all applicants prior to committee review.
4. For those applicants who have no prior public school work experience or whose out-of-state former employers will not release documentation requested pursuant to IC § 33-1210, the screening committee or administrator may engage in whatever background checks it deems appropriate but, at a minimum, shall verify all prior work experience and educational achievement listed by the applicant as the committee or administrator deems appropriate, preferably by contacting the prior employers and/or educational institutions listed by the applicant, and shall communicate with every person listed as a reference by the applicant.
5. Upon determining the qualified applicant, the administrator will submit to the Executive Director the written recommendation for the applicant to be offered the position.

#### Acceptance Procedure

Once the Committee or administrator has selected the final candidate, the name will be provided to the Executive Director who will review the applicant's credentials with the administrator. If the Executive Director does not concur with the committee or administrator's recommendation, they shall ask the committee for their next choice until a selection the Executive Director concurs with is found. If the Executive Director concurs with the recommendation for a certificated position, the Executive Director will take the following steps:

1. Authorize a statement of intention to employ, pending Board approval, to be made to the candidate.



- A. If, at the time the statement of intention to employ is made, the Charter School has not yet received documentation requested pursuant to IC 33-1210(3), the School may provisionally employ such applicant for a certificated position on a non-contracted basis for up to 30 days after receipt of the documentation. Within that 30 day time period, the Board may issue a written statement to the applicant identifying why a standard contract will not be issued and specifying which information justifies such decision. The Board may not identify any reason for non-issuance of a standard contract not based on the documentation received. If, within 30 days from the receipt of the information requested pursuant to IC 33-1210(3) no contract is issued or the written statement of non-employment is not provided to the applicant, the employee will be deemed to be employed pursuant to the appropriate type of contract. During this provisional employment, the applicant shall be provided the same compensation and benefits as if the employee had been employed on a standard certificated contract.

If no documentation is received from out of state employers, the Charter School may employ the applicant for the certificated position on the appropriate type of contract without utilizing the provisional, non-contracted employment.

- B. Upon receiving a verbal or written statement of intention to accept employment, pending Board approval, by the candidate, the Executive Director will prepare the necessary papers for recommendation to the Board of Directors at the next regular or special Board meeting.
- C. Submit to the Board of Directors such recommendation.

### Board Action on Hiring of Certificated Employees

When approving the hiring of a certificated employee, the Board of Directors of the Charter School will:

1. Have placed before it the name of the final candidate for the position; and
2. Discuss hiring and, in situations wherein the individual qualifications of the applicant are discussed, go into executive session pursuant to law; and
3. Vote relating to approval or disapproval of the candidate. If members of the Board personally have knowledge not available to the administrator and the screening committee the Board will not take action until all concerns have been reviewed by the administrator.



Approval of Candidate for Certificated Position

Upon approval by the Board of Directors, a contract, which may comply with the forms recommended by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in IC 33-5206(4). The applicant must sign the contract and return it within ten days from the date the contract is delivered to them. If the person willfully refuses to acknowledge receipt of the contract or if the contract is not signed and returned to the Board in the designated period of time, the Board or designee may declare the position vacant. If the candidate is not approved, or if the person willfully refuses to acknowledge receipt of the contract or if the contract is not signed and returned to the Board, the Executive Director will remand the situation to the administrator and screening committee to provide the next applicant’s name for consideration.

Any person on provisional employment pursuant to IC 33-1210(7) shall be subject to the same time limits and provisions for return of a signed contract when and if such contract shall be provided to them for signature.

Certification

To qualify for employment, each teacher, pupil service staff, or administrator must have, and maintain during the entire school year, a valid Idaho instructional/pupil service staff/administrator certificate on file in the Charter School Office at the beginning of the school year. If at any time the teacher/pupil service staff/administrator’s certification lapses, is revoked, or suspended, the certificated employee may be subjected to action declaring a contract violation and action will be taken to terminate the employment of the individual with the School.

Cross References:	5100F1-F3 5110 5120  5740PA1 – 2	Hiring Process and Criteria Forms Criminal History/Background Checks Equal Employment Opportunity and Non-Discrimination Reduction in Force Procedures and Forms
Legal References:	IC § 33-130  IC § 33-1210 IC § 33-5204  IC § 33-5206	Criminal History Checks for School District Employees or Applicants for Certificates or Individuals Having Contact with Students Information on Past Job Performance Nonprofit Corporation—Liability—Insurance Requirements and Prohibitions of a Public Charter School



IC § 33-5210

IC § 65-505

IC § 65-501, *et seq.*

IC § 74-206

IDAPA 21.01.06

IDAPA 08.02.02.015.02

IDAPA 08.02.04.300

Application of School Law – Accountability

– Exemption from State Rules

Officials to Observe Preference

Rights and Privileges of Veterans

Executive Sessions — When Authorized

Rules for the Enforcement of the Veteran’s

Preference in Public Employment

Standard Pupil Service Staff Certificate

Public Charter School Responsibilities

Policy History:

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