



## RISE CHARTER SCHOOL

### Policy 5100: Hiring Process and Criteria

Status: ADOPTED

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REQUIRED POLICY

### 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 staff personnel. The Executive Director may involve various administrative and teaching staff as may be needed in recruiting potential personnel. All 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 exerted to maintain wide diversity in staff experience and educational preparation. However, the welfare of the children of the RISE Charter School will be a paramount consideration in the selection of teachers and administrators.

This policy shall be made available to any RISE Charter School employee or person seeking employment with the RISE Charter School.

### Guidelines

1. There will be no discrimination in the hiring process. See Policy 5120.

2. Applicants for teaching positions shall provide evidence of meeting State requirements for certification and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to the RISE Charter School all information relating to job performance or job-related conduct, and making available to the RISE Charter 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 RISE 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 and no one shall disclose such 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 RISE Charter School's request. See Forms 5100F1 and 5100F2.

3. Applicants for high school and middle school positions should have a major or its equivalent in the specific teaching field(s). Elementary applicants should have a major or its equivalent in elementary education or in the special area of assignment(s). Applicants for specific teaching positions shall also meet the applicable State standards.

4. Applicants for all teaching positions should have a minimum over-all grade point average of 2.5 (A-4, B-3, C-2, D-1). All candidates should have a grade point average of 2.75 in their respective major teaching field(s).

5. When considering coaching assignments in secondary schools, preference for hiring will be given to a qualified certificated professional employee 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 School employee may receive the position in question.

6. As required in Idaho Code 65-505, the RISE 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.

7. As required in Idaho Code 33-130 and 33-512(15), the RISE Charter School will conduct a criminal history check for applicable positions. See Policy 5110.

8. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

9. Applicants must have an understanding of the RISE Charter School mission and vision and a desire to meet the intent of the RISE 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 compliance with the above policy for the hiring of professional staff, the following guidelines shall be utilized:

### **Notice of Vacancies**

Vacancies will be posted after the Board has approved written resignation from a contracted professional employee of the RISE Charter School, a termination or non-renewal has occurred, a release from contract has been granted, a new position is created within the RISE Charter School, or a vacancy has otherwise occurred. When that official resignation has been received or a position is otherwise available, the Executive Director will post notices in all school buildings and the RISE Charter School Office.

The Executive Director's Office will post notice of any vacancy within the RISE Charter School for 5 school days for current qualified employees to apply for the position:

1. Upon the conclusion of the 5-school day period, the appropriate administrator will review all requests to apply for the open position. The administrator will have the responsibility to interview all final applicants who meet the qualifications needed for the position, and may or may not make recommendation for such applicants after review.
2. If an applicant is recommended by the administrator, it will be submitted in writing to the Executive Director immediately following such determination. If such transfer would create a vacancy in another location, notice of that vacancy will be posted as specified above, with the exception that if the same grade level vacancy for the RISE Charter School has already been posted, the above building notice requirement may be waived and the existing applicant pool utilized.
3. Should the administrator determine that he or she does not wish to accept the request of any internal applicants, or no internal applicants have requested to apply, the administrator will give notice to the appropriate school employee, who will prepare a job notice to be posted externally.
4. An application or letter of interest will be maintained within the RISE Charter School file for a period of one year from the date of inquiry. It is the responsibility of any applicant who desires to be considered for positions within the RISE Charter School to reactivate his or her file annually.
5. The Executive Director may deviate from the processes outlined in sections 1 through 5

above if he or she determines that such deviation is in the best interest of the RISE Charter School.

### **Preliminary Screening**

1. 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.

2. Should the Executive Director desire to have applicants prioritized, he or she shall make such known to the administrator who will provide the prioritized list of a number consistent with the pool.

### **Screening**

1. The administrator may establish a committee to assist in the final screening process:

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 committee will establish the procedures at the building or program level for interviewing the successful applicants.

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 I.C. § 33-12-10, 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 a contract.

### **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 concurs with the recommendation, the Executive Director will:

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 RISE Charter School has not yet received documentation requested pursuant to I.C. 33-1210(3), the RISE Charter School may provisionally employ such applicant 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 I.C. 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 a certificated employee 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 RISE Charter School may employ the applicant on the RISE Charter School's certificated employee 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**

The Board of Directors of RISE Charter School will:

1. Have placed before it all candidate names 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 candidates. 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**

~~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 I.C. 33-5206(4). The applicant must sign the contract and return it within ten days from the date the contract is delivered to them. Should the person willfully refuse to acknowledge receipt of the contract or 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. Should the candidate not be 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 I.C. 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 or administrator must have, and maintain during the entire school year, a valid Idaho teaching/administrative certificate on file in the RISE Charter School Office at the beginning of the school year. If at any time the teacher/administrator's certification lapses, is revoked, or suspended, the certificated employee may be subjected to action declaring a contract violation and possible action to terminate the employment of the individual with the RISE Charter School.~~

The RISE Charter School Board of Directors has responsibility for the employment of School personnel. The Board delegates to the Executive Director responsibility for recruiting, screening, and recommending qualified applicants for employment. The Executive Director may involve administrators, staff members, or other appropriate individuals in the selection process.

All personnel selected for employment shall be recommended by the Executive Director or designee and approved by the Board as required by law and School policy.

RISE Charter School shall comply with all applicable state and federal employment requirements, including required background checks, certification or licensure requirements, prior-employer screening, and applicant disclosures.

### **General Hiring Guidelines**

RISE Charter School shall:

1. Provide equal employment opportunity and comply with Policy 5120, Equal Employment Opportunity and Non-Discrimination.
2. Consider qualifications appropriate to the position, including education, training, experience, certification or licensure, job-related skills, professional conduct, ability to work effectively with students and staff, and other factors relevant to the position.
3. Give appropriate consideration to an applicant's understanding of and ability to support the mission, vision, and educational program of RISE Charter School.
4. Verify required Idaho certification, endorsement, licensure, or other professional credentials applicable to the position.
5. Complete criminal history and background checks as required by law and Policy 5110.
6. Comply with applicable veteran's preference requirements under Idaho law.
7. Require newly hired employees to complete employment eligibility documentation required by federal law.

The safety and welfare of RISE students shall be a primary consideration throughout the hiring process.

### **Notice of Vacancies**

The Executive Director shall establish procedures for recruiting, posting, and filling available positions.

A vacancy may be advertised when:

- A resignation has been received or is anticipated;
- A termination, nonrenewal, or release from contract has occurred or is pending required Board action;
- A new position has been created; or
- A position is otherwise available or reasonably anticipated to become available.

A vacancy may be posted pending final Board action when appropriate.

Job vacancy notices shall include, as applicable:

1. The position and general job description;

2. Minimum qualifications;
3. Application requirements;
4. The application deadline or period during which applications will be accepted; and
5. Information regarding the application and selection process.

The Executive Director's Office will post notice of any vacancy within the RISE Charter School for five (5) school days for current qualified employees to apply for the position.

Upon the conclusion of the five (5) school day period, the Executive Director or designee may proceed with posting notice of any vacancy externally.

### **Application and Pre-Employment Screening**

Applicants shall provide documentation reasonably required by RISE Charter School for the position.

RISE Charter School shall complete all pre-employment screening required by state and federal law before final employment, including, as applicable:

1. Verification of certification, endorsement, licensure, education, or other required professional credentials;
2. Criminal history and background checks;
3. Required applicant disclosures and authorizations;
4. Review of past job performance and job-related conduct;
5. Contact with current and previous employers when required by law;
6. Reference and employment-history verification; and
7. Verification of eligibility to work in the United States.

### **Prior Employment and Applicant Disclosures**

RISE Charter School shall comply with the requirements of Idaho Code §§ 33-145 and 33-1210, as applicable.

Applicants shall complete all required statements, authorizations, releases, and disclosures concerning prior employment and job-related conduct.

For positions subject to Idaho Code § 33-145, RISE shall obtain the required authorization and request information from applicable current and prior employers concerning matters required by law, including information involving:

- Pending or prior investigations involving misconduct;
- Resignation during an investigation or in lieu of contemplated disciplinary action; and
- Disciplinary action involving misconduct.

When required by law, RISE shall request information from an applicant's current and prior employers for the applicable statutory period.

For applicants with previous public school employment, RISE shall obtain and review prior-employer information required by Idaho Code § 33-1210, as applicable.

An applicant who refuses to complete a disclosure, authorization, release, or other screening requirement required by law shall not be eligible for employment.

Material misrepresentation, omission, or falsification during the application or screening process may result in disqualification from employment, withdrawal of an employment offer, or employment action consistent with law.

Information obtained through the screening process shall be maintained and used only as permitted by law and shall be shared only with individuals directly involved in evaluating the applicant or otherwise authorized by law.

If information from an out-of-state or other former employer cannot be obtained, RISE may proceed as permitted by law after completing appropriate alternative verification of employment history, education, references, and qualifications.

### **Screening and Selection**

The Executive Director or designee shall determine the appropriate screening and interview process for each vacancy.

The Executive Director may:

- Review application materials;
- Conduct or assign reference checks;
- Establish an interview or screening committee;
- Determine which qualified candidates will be interviewed;
- Conduct additional job-related screening; and
- Recommend a final candidate to the Board.

Nothing in this policy requires RISE Charter School to interview every applicant who meets minimum qualifications.

### **Recommendation and Board Approval**

After completion of the appropriate selection process, the Executive Director may notify the selected candidate of an intent to recommend employment, subject to:

1. Completion of required background and employment screening;
2. Verification of required certification or licensure;
3. Board approval when required; and
4. Execution of any required employment contract or agreement.

The Executive Director shall submit the recommended candidate to the Board for approval as required by law and School policy.

When permitted by Idaho law, the Board may discuss the qualifications of an individual applicant in executive session. Any final action to approve employment shall be taken in open session as required by law.

The Board is not required to review or receive the names or application materials of every applicant unless otherwise required by law.

### **Provisional Employment**

RISE Charter School may use provisional or conditional employment when authorized by Idaho law while awaiting required employment information or documentation.

Any provisional employment shall comply with the requirements and timelines established by applicable Idaho law.

### **Employment Contracts**

Employment requiring a written contract shall not become final until all required approvals have occurred and the contract has been properly executed.

Certificated employee contracts shall comply with the requirements applicable to Idaho public charter schools, including Idaho Code § 33-5206.

### **Certification and Licensure**

Each employee serving in a position requiring certification, endorsement, or professional licensure shall obtain and maintain valid credentials throughout the period of employment.

Employees are responsible for maintaining required credentials and providing documentation requested by RISE Charter School.

If an employee's required certification, endorsement, or license expires, lapses, is suspended, revoked, or otherwise becomes invalid, the employee may be subject to reassignment or employment action consistent with applicable law, contract requirements, and School policy.

### **Administrative Procedures**

The Executive Director may develop and revise administrative procedures, application materials, checklists, releases, and forms necessary to implement this policy and comply with changes in state or federal law.

Administrative procedures may address matters including:

- Where vacancies are advertised;
- Application deadlines;
- Interview procedures;
- Reference checking;
- Internal applicants;
- Recruitment methods;
- Applicant records;
- Selection committees; and
- Documentation of required pre-employment screening.

These administrative processes do not require Board policy revision unless the Board determines that a particular requirement should be established as Board policy.

**Cross-References:**

~~5100F1-F3 Hiring Process and Criteria Forms~~  
~~5110 Criminal History/Background Checks~~  
~~5120 Equal Employment Opportunity and Non-Discrimination~~  
~~740PA1—2 Reduction in Force Procedures and Forms~~

**Legal References:**

~~I.C. § 33-130 Criminal History Checks for School District Employees or Applicants for~~  
~~Certificates or Individuals Having Contact with Students~~  
~~I.C. § 33-1210 Information on Past Job Performance~~  
~~I.C. § 33-5204 Nonprofit Corporation—Liability—Insurance~~  
~~I.C. § 33-5206 Requirements and Prohibitions of a Public Charter School~~  
~~I.C. § 33-5210 Application of School Law—Accountability—Exemption from State Rules~~  
~~I.C. § 65-505 Officials to Observe Preference~~  
~~I.C. § 65-501, et seq. Rights and Privileges of Veterans~~  
~~I.C. § 74-206 Executive Sessions—When Authorized~~  
~~IDAPA 21.01.06 Rules for the Enforcement of the Veteran's Preference in Public Employment~~  
~~IDAPA 08.02.04.300 Public Charter School Responsibilities~~

**Cross References**

**5100F1–F3 – Hiring Process and Criteria Forms**  
**5110 – Criminal History/Background Checks**  
**5120 – Equal Employment Opportunity and Non-Discrimination**  
**5500 – Personnel Files**

**Legal References**

**I.C. § 33-145 – Idaho Student Safety and Educator Disclosure Act**  
**I.C. § 33-130 – Criminal History Checks**  
**I.C. § 33-1210 – Information on Past Job Performance**  
**I.C. § 33-5206 – Requirements and Prohibitions of a Public Charter School**  
**I.C. § 33-5210 – Application of School Law – Accountability – Exemption from State Rules**  
**I.C. § 65-501, et seq. – Rights and Privileges of Veterans**  
**I.C. § 65-505 – Officials to Observe Preference**  
**I.C. § 74-206 – Executive Sessions – When Authorized**  
**IDAPA 21.01.06 – Rules for the Enforcement of Veteran's Preference in Public Employment**

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