RISE CHARTER SCHOOL

Policy 5100: Hiring Process and Criteria

Status: ADOPTED

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REQUIRED POLICY

The RISE Charter School Board of Directors has the legal responsibility of hiring all employees. ~~for the employment of School personnel.~~ The Board ~~delegates~~ assigns to the Executive Director ~~responsibility for~~ the process of recruiting~~, screening, and recommending qualified applicants for employment.~~ personnel and hiring all classified personnel. The Executive Director may involve ~~administrators, staff members, or other appropriate individuals in the selection process.~~ various administrative and teaching staff as may be needed in recruiting potential personnel. All personnel selected for employment ~~shall~~ must be recommended by the Executive Director or designee and approved by the Board. ~~as required by law and School policy.~~ All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

~~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.~~

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 students 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.

~~**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.~~

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.

3. Applicants for teaching and administrative positions shall provide evidence of meeting State requirements for certification as described below.

4. Applicants shall 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:

    1. Job performance or job-related conduct;
    2. Any pending or prior investigations of the employee;
    3. Any resignations during investigations or in lieu of contemplated disciplinary action; and
    4. Disciplinary actions for misconduct involving the applicant.

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.

5. Applicants shall be required to provide a sworn written statement disclosing any pending or prior investigations, resignations during investigations or in lieu of contemplated disciplinary action, or disciplinary actions involving the applicant for misconduct in connection with employment or professional licensure or certification. Applicants who make a material misrepresentation or willful omission associated with this sworn written statement or information required shall be subject to immediate termination of employment or recission of the applicant's offer of employment contract.

6. 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).

7. 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.

8. 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.

9. As required in Idaho Code 33-130 and 33-512(16), the School will conduct a criminal history check for applicable positions. See Policy 5110.

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

11. 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 used when hiring **[OPTIONAL: certificated]** staff:

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.~~

OPTION 1: Notice of Vacancies

All **[OPTIONAL: certificated]** vacancies will be posted after the Board has approved written resignation from a **[OPTIONAL: contracted professional]** employee of the Charter School (or pending Board approval), a termination or non-renewal has occurred, a release from contract has been granted, a new **[OPTIONAL: certificated]** position is created within the 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 **[SELECT ALL THAT APPLY: in all school buildings, in the Charter School Office, on the School's website, by emailing them to staff, _____]**. If a termination or release from contract requires Board approval to be final, the Executive Director may post the vacancy pending this approval.

1. Job Vacancy Notices: Any notice from RISE 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 shall include but are not limited to:
        1) a completed School application form;
        2) official transcripts of all university or college credits;
        3) a placement center file;
        4) a personal resume; and
        5) 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.

The Executive Director's Office will post notice of any vacancy within the Charter School for five (5) school days for internal applicants to apply for the position. For purposes of this policy, "internal applicant" refers to a certified **[OPTIONAL: or classified]** employee currently employed by the School. **[OPTIONAL: This shall/shall not include substitute teachers employed by the School.]** Internal applicants will be offered the opportunity to apply and be considered for a position before the position is opened to applicants outside the School. However, the position may be opened to non internal applicants regardless of whether qualified internal applicants apply, and internal candidates are not guaranteed to be selected as finalists for the position or to be hired for the position.

1. **[OPTIONAL] Employees seeking to apply for a position shall submit their application via the Executive Director or program director.**

2. Upon the conclusion of the five (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. In the event the open position is deemed by the Board to be an administrative or director position, the application must advance to the Executive Director's office for appropriate review, including consultation with the Board.

3. If an applicant is recommended by the administrator, the recommendation 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 School has already been posted, the above building notice requirement may be waived and the existing applicant pool used.

4. Should the administrator determine that they do 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.

5. An application or letter of interest will be maintained in the 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 School to reactivate their file annually.

6. The Executive Director may deviate from the processes in the outline above if they -determine that such deviation is in the best interest of the School **[OPTIONAL: and upon approval of the Board]**. If the applicant would be employed as a teacher, administrator, school resource officer, or bus driver under a Return to Work program, the School will ensure full compliance with PERSI rules prior to offering the position as described in Policy 5750 as applicable.

OPTION 2: Notice of Vacancies

Vacancies in certificated positions will be posted only after the Board has approved written resignation from a contracted professional employee of the Charter School, a termination has occurred, or if a new position is created within the School. The Executive Director shall develop procedures for the posting of available positions within the Charter School.

1. Job Vacancy Notices: Any notice from RISE 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 use the State Department of Education's website to verify the applicant's 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 or~~,~~ suspension, or the existence of any prior letters of reprimand and information relating to job performance.

    D. Once the School has determined the final [NUMBER] applicants for the position, and received their statements releasing information from prior school district employers, as required by IC 33-1210, these statements 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 used 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 used 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.

~~**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.~~

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 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.~~

Screening

1. **[SELECT ONE: The Board may direct the Executive Director to establish OR The administrator may establish]** a committee to assist in the final screening process for certificated **[OPTIONAL: and classified]** 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 OR committee]** 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 most qualified applicant, the administrator will submit to the Executive Director the written recommendation for the applicant to be offered the position.

~~**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.~~

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. **[SELECT ONE: If the Executive Director concurs with the recommendation for a certificated position, the Executive Director will take the following steps.**

OR

If the Executive Director concurs with the recommendation, 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.

2. 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 using the provisional, non-contracted employment.

3. 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.

4. Submit to the Board of Directors such recommendation.

Board Action [OPTIONAL: on Hiring of Certificated Employees]

When approving the hiring of a(n) **[OPTIONAL: certificated]** employee, the Board of Directors of RISE 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.

~~**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.~~

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, (as applicable,) on file in the Charter School Office at the beginning of the school year. If at any time the 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 – 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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