

The Board of Trustees has the legal responsibility of hiring all employees. The Board assigns to the Superintendent the process of recruiting staff personnel. The Superintendent may involve various administrative and teaching staff personnel as may be needed in recruiting staff personnel. All personnel selected for employment must be recommended by the Superintendent and approved by the Board. All certificated personnel selected for employment must also go through the screening process outlined in Idaho Code 33-1210 and be approved for hire by the Building Principal in the building to which they will be assigned.

To aid in obtaining quality staff members, the following factors will be considered: 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 District will be a paramount consideration in the selection of teachers and administrators.

[This policy shall be made available to any District employee or person seeking employment with the District.](#)

### **Guidelines**

1. There will be no discrimination in the hiring process (refer to Policy # 500.10).
2. Applicants for teaching positions shall provide evidence of meeting State requirements for regular certification and sign a statement authorizing current and past school district employers to release to the District all information relating to job performance or job related conduct. Applicants who do not sign the statement/release shall not be considered for employment. The District 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. Non-certificated applicants may be employed on a conditional basis pending receipt of information from current and past school district employers. 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 District's request.
3. Applicants must have proper endorsements for teaching positions and meet the State's highly qualified standards. 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).
- ~~4. Applicants for all teaching positions should have a minimum overall grade point average of at least 2.5 (where scale is A-4, B-3, C-2, D-1). All applicants should have a grade point average of at least 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 teacher in the school where the coaching vacancy exists. The Building Principal will certify that all qualified 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 or that another individual may receive the position who is not an employee of the building in questions.
6. As required in Idaho Code 65-505, the District will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees, or implementing a reduction in force. Necessary documentation must be submitted in accordance with Policy #510 Personnel Veteran's Preference.
7. As required in Idaho Code 33-130, the District will conduct a criminal history check for applicable-all positions.
8. Each newly hired employee must complete an Immigration and Naturalization Service form or I-9, as required by federal law and provide necessary documentation.

The employment of any certified staff member is not official until the contract is approved by the Building Principal, the Board, and signed by both the Board Chairman 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**

1. Vacancies will be posted only after the District receives Board has approved written resignation from a contracted professional employee of the District, or termination or non-renewal has occurred, a release from contract has been granted. -or if a new position is created within the District. When that official resignation has been received, or a position is otherwise available ~~the~~ the Superintendent will post notices online on the official District website.
2. The Superintendent's Office will post notice of any vacancy within the District on the District website online at [www.minidokaschools.org](http://www.minidokaschools.org). Such notice shall be posted for a minimum of four (4) business school days ~~within the District for current teachers or other staff administrators to apply for the position(s).~~
3. Upon the conclusion of the posting four (4) school day period, the appropriate administrator will meet with the appropriate building or program administrator, and review all requests for transfer. The building/program administrator will have the responsibility to interview all applicants who meet the qualifications needed for the position, and may or may not make recommendation for ~~such~~ internal (In District) transfer after such review.
4. If a transfer or applicant is recommended and approved by the building principal, it will be submitted in writing to the Superintendent immediately following such determination. Since such transfer would automatically 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 will be waived.

- ~~5. Should the building/program administrator determine that he/she does not wish to accept the request for transfer of any individual, or no individuals have requested a transfer, the principal will give notice to the appropriate administrator, who will prepare a job notice to be posted externally.~~
5. An application or letter of interest will be maintained ~~within the District~~ file for a period of ~~three one~~ years from the date of inquiry. It is the responsibility of any applicant who desires to be considered for ~~a subsequent~~ positions within the District to reactivate his/her file ~~annually~~ for that position.
6. The Superintendent may deviate from the processes outlined in sections 1 (one) through 65 (fivesix) above if he/she determines that such deviation is in the best interest of the District.

### **Notices to Include**

Any notice from Minidoka County Joint School District # 331 will contain the following information:

1. Position available and job description.
2. Requirements for completed application, as applicable for position, including but are not limited to the following: 1) completed District application form (online); 2) official transcript of all university or college credits; 3) placement center file; 4) personal resume; 5) verification or eligibility of Idaho certification; and 6) signed statement/release for current and past school district employers.
3. Timeline for receiving applications.
4. Process notification of how applications will be handled.

3.5. Application Procedures: It will be the responsibility of any applicant to provide the information listed in item 2 (two) above.

### **Application Procedures**

It will be the responsibility of any applicant to provide the information listed ~~in H-B#5 (five)~~ above. All employment applications are to be received only via the on-line HR program at [www.minidokaschools.org](http://www.minidokaschools.org).

1. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.
2. It will be the discretion of the Superintendent and the building 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 District for consideration. Such time extension will be restricted to a reasonable time frame.
3. In addition to the certification information provided by the applicant, the District 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.

4. 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.
5. 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 District. 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.

4.6. Upon receipt of the completed applications, those applications will be placed in a file for review and consideration at the District Office.

### **Screening**

1. The building or program supervisor may establish a committee to assist in the screening process.
2. The building principal or program supervisor and **screening** committee, upon receiving the written applications from the HR/Personnel Specialist, will review those applications for the purpose to:
  - a. Determine those most suited to the position.
  - b. Make personal telephone contact with one or more references submitted by the applicant.
  - c. Contact individuals who might know the applicant, but were not listed as references, if needed.
  - d. Invite the top applicants to be interviewed for the position.
3. The **building principal or program supervisor and screening** 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. § 33-1210, 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 attempt to contact with~~ every person listed as a reference by the applicant.

- ~~3.5.~~ Upon determining the qualified applicant, the building administrator will submit to the Superintendent, the written recommendation for the applicant to be named as a candidate and offered employment.

### **Acceptance Procedure**

Once the Committee has selected the final candidate, the name will be provided to the Superintendent who will review the applicant's credentials with the building principal or program supervisor. If the Superintendent and building principal or program supervisor concur with the recommendation, the Superintendent will:

1. Authorize a verbal offer of employment, pending Board approval, to be made to the candidate.
  - a. If, at the time the statement of intention to employ is made, the District has not yet received documentation requested pursuant to I.C. 33-1210(3), the District may provisionally employ such applicant on a non-contracted basis for up to 30 days after receipt of the documentation. Within that thirty-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 Category 1 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.
  - b. If no documentation is received from out of state employers, the District may employ the applicant on a standard Category 1 contract without utilizing the provisional, non-contracted employment.
- ~~4.2.~~ Upon receiving verbal acceptance by the candidate, the Superintendent will prepare the necessary papers for recommendation to the Board of Trustees at the next regular or special Board meeting.
2. ~~Submit to the Board of Trustees such recommendation for approval.~~

### **Board Action**

The Board of Trustees of the Minidoka County Joint School District # 331 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. Approve candidates, unless they personally have knowledge not available to the building administrator and the screening committee. In that case, the Board will not take action until all concerns have been reviewed by the building/program administrator. Vote relating to approval or disapproval of the candidates. If members of the Board personally have knowledge not available to the building administrator and the screening committee

the Board will not take action until all concerns have been reviewed by the building/program administrator.

### **Approval**

Upon approval by the Board of Trustees, a contract, in a form approved by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-513. The applicant must sign the contract and return it within ten (10) 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 may declare the position vacant. Should the candidate not be approved, or the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the Board the Superintendent will remand the situation to the building administrator and screening committee to provide the next applicant's name for consideration.

### **Certification**

To qualify for employment, each teacher or administrator must have a valid Idaho teaching/administrative certificate on file in the District Office at the beginning of the school year. If the certificate is not on file by September 15th of the given year, the employee will be paid substitute wages until the certification has been completed and on file. 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 District.

### **Procedures for Obtaining Personnel Records for Applicants**

- ~~1. Before hiring an applicant for employment in a certificated or non-certificated position the District shall have the applicant sign the statement/release (510.00 Form 1) and provide a list of their previous school district employers (the list may be obtained via resume or application). The District will not hire an applicant who refuses or fails to sign the statement/release.~~
- ~~2. The signed statement/release will then be sent by the District to all of the applicant's current or past, in state or out of state, school district employers along with a request for information relating to job performance and/or job related conduct (510.00 Form 2). Note that the District does not have to request the information for all applicants. The District only has to request the information for the top applicant(s) for the position.~~
- ~~3. The District may follow up with current or past school district employers if the information requested has not been received within thirty (30) days from the date the request was sent. The District may hire non-certificated applicants on a conditional basis pending receipt of the information requested. Applicants shall not be prevented from being hired if an out of state current or past school district employer refuses to comply with the request. The District will attempt to obtain a written refusal along with the reason for the refusal from the non-compliant out of state school district employer. The written refusal shall be kept as a part of the applicant's file.~~



4. ~~The District shall also request State Department of Education verification of certification status as well as any past or pending violations of the Professional Code of Ethics and information related to the job performance of the applicants for any certificated position (510.00 Form 3).~~
5. ~~The District shall use information received from applicant's current or past employers only for the purposes of evaluating an applicant's qualifications for employment in the position for which the applicant has applied. No Board member or District employee shall disclose the information received to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment.~~



#### **LEGAL REFERENCE:**

<del>I.C. § 33-130</del>	<del>Criminal history checks for</del>
<del>I.C. § 33-512</del>	<del>school district employees or</del>
<del>I.C. § 33-513</del>	<del>applicants for certificates</del>
<del>I.C. § 33-1210</del>	<del>Information on past job</del>
<del>I.C. § 65-505</del>	<del>performance</del>
<del>I.C. § 67-2345(a)</del>	<del>Officials to observe preference</del>
	<del>Executive sessions</del>

Cross Reference: 5110	<u>Fingerprinting and Criminal Background Investigations</u>
5120	<u>Equal Employment Opportunity and Non-Discrimination</u>
5100F1-5100F3	<u>Hiring Process and Criteria Forms</u>
5740PA1 – 2	<u>Reduction in Force Procedures and Forms</u>

Legal Reference: I.C. § 33-130	<u>Criminal History Checks for School District Employees</u>
	<u>or Applicants for Certificates</u>
I.C. § 33-512	<u>Governance of Schools</u>
I.C. § 33-513	<u>Professional Personnel</u>
I.C. § 33-1210	<u>Information on Past Job Performance</u>
I.C. § 65-501 et seq.	<u>Rights and Privileges of Veterans</u>
I.C. § 74-206	<u>Executive Sessions—When Authorized</u>

**ADOPTED: August 15, 2011**

**AMENDED/REVISED:**

**ATTACHMENT(S): 510.00 Form 1; 510.00 Form 2; 510.00 Form 3**

**RELEASE OF INFORMATION ON PAST  
JOB PERFORMANCE**

Idaho Law requires Applicants for any position at any Idaho Public School to allow the hiring School District Employer to obtain a copy of past public school employer personnel file materials and other documentation relating to the performance of the Applicant when such Applicant was employed by any other public school, whether in Idaho or any other state.

Before hiring an Applicant for any position, the District must request the Applicant sign this form. Should the Applicant refuse or fail to sign this form, the District is not permitted to hire the Applicant for any position. This authorization does not limit any employer from seeking additional information or disclosures from any Applicant.

This form:

1. Authorizes current and past public school employer of the Applicant/undersigned on this form, including Applicants outside of the State of Idaho, to release to the hiring School District all information relating to the job performance and/or job related conduct of the Applicant and make available to the hiring School District copies of all documents in the previous employer's personnel file, investigative file or other files relating to the job performance of the Applicant; and
2. Releases the Applicant's/undersigned's current and past employers, and employees acting on behalf of the employer, from any liability for providing the above mentioned information.

**§ 33-1210 RELEASE:**

I understand that the above requirements are a condition of my obtaining employment with the District and I consent to my current and former employers, both inside and outside the State of Idaho, upon receipt of this signed authorization, to comply with Idaho law. I further consent that such authorization may be provided to the hiring District via electronic means.

Please list all of the districts you have worked for

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Printed Name of Applicant \_\_\_\_\_

Identifying Employee Number/Name of Applicant or other Identifying \_\_\_\_\_



### Information for Past Employer

~~Information obtained through the use of this Release will be used only for the purpose of evaluating the qualifications of the Applicant for employment. This information will not be disclosed in any manner other than as provided by Statute.~~

~~A copy of this Release and all information obtained through use of this Release will be placed into the Applicant's Personnel File with the District upon employment of the Applicant, if any.~~

~~An Applicant's failure to disclose any former School District employer, whether within or outside of the State of Idaho, will serve as the basis for immediate termination and, for certificated personnel, may also result in the District's reporting of the individual to the Idaho Professional Standards Commission for a potential violation of the Code of Ethics for Professional Educators.~~

~~By accepting an executed copy of this form, the hiring School District makes no guaranty or promise of employment to the Applicant. Further, the hiring School District may employ the Applicant on a conditional basis pending review of information gathered pursuant to this Release. Such conditional employment is not a guarantee or promise of continued employment with the hiring School District for any length of time or pursuant to any additional conditions.~~

**REQUEST TO EMPLOYER**  
**IDAHO CODE 33-1210**

~~Idaho Code 33-1210 requires all Idaho School District employers to obtain past School District employer performance information regarding any individual they are considering for hire, with regard to any position at an Idaho Public School District. Specifically, the code section language states:~~

~~Before hiring an applicant, a School District shall request, in writing, electronic or otherwise, the Applicant's current or past employers, including out of state employers, to provide the information described in subsection (2)(a) of this section, if any.~~

~~The aforementioned subsection (2)(a) of the statute requires Applicants to sign a statement "authorizing the applicant's current and past employers [meaning school district employers], including employers outside of the State of Idaho, to release to the hiring School District all information relating to the job performance and/or job related conduct, if any, of the applicant and making available to the hiring School District copies of all documents in the previous employer's personnel, investigative or other files relating to the job performance by the Applicant."~~

~~Enclosed please find a copy of the signed Authorization for Release of Information from \_\_\_\_\_, an Applicant for employment with the \_\_\_\_\_ District. This individual has identified your District as a prior employer. Accordingly, we are requesting that you please provide to the District a copy all information relating to this individual's performance as an employee with your District. In accordance with the terms of the statute in question, we request receipt of this information within twenty (20) business days after receipt of this request. This information may be sent either as written documentation or in electronic format. We would request that you advance this information to:~~

~~[Insert District Contact Information Here]~~

~~It should be noted that this statute provides that any School District or employee acting on behalf of the School District, who in good faith discloses information pursuant to this section either in writing, printed material, electronic material or orally is immune from civil liability for the disclosure. An employer is presumed to be acting in good faith at the time of the disclosure under this section unless the evidence establishes one (1) or more of the following: (a) that the employer knew the information disclosed was false or misleading; (b) that the employer disclosed the information with reckless disregard for the truth; (c) that the disclosure was specifically prohibited by a state or federal statute.~~

~~Should you have any questions regarding this matter, please contact: \_\_\_\_\_ at the above contact information.~~

**REQUEST FOR VERIFICATION OF CERTIFICATE STATUS**

~~Attn: Director of Certification/Professional Standards~~  
~~Idaho State Department of Education~~  
~~650 W. State Street~~  
~~P.O. Box 83720~~  
~~Boise, ID 83720-0027~~

~~Pursuant to § 33-1210(5), Idaho Code, the District is seeking information regarding the following individual:~~

~~Name of Applicant \_\_\_\_\_~~

~~Date of Birth \_\_\_\_\_~~

~~Specifically, pursuant to the above-referenced statute, the District is seeking the following information in order to address a hiring decision:~~

- ~~1. Certificate Status.~~
- ~~2. The existence of any past findings or complaints relating to violations of the Code of Ethics for Professional Educators.~~
- ~~3. The existence of any current complaints or investigations relating to alleged violations of the Code of Ethics for Professional Educators.~~
- ~~4. Any information relating to job performance as defined by the State Board of Education, pursuant to Subsection (11) of Idaho Code 33-1210, for any applicants for certificated employment.~~

~~The District would greatly appreciate it if this information could be advanced to the attention of \_\_\_\_\_ on or before the \_\_\_\_\_ day of \_\_\_\_\_ in order to allow a timely decision as to employment matters. This information may be mailed at the above address or sent via electronic format to: \_\_\_\_\_.~~

~~Sincerely,~~

~~District HR Department~~