

NOTES: This is a new policy to reflect the statutory provisions set forth in CODE.

RECOMMEND: Striking paragraph regarding Non certified because the statute does not require the request of non-certified records (page 2). Accept final paragraph (page 3).

DEFINITIONS

“Applicant” is defined as an applicant for employment in a certificated or non-certificated position with this school district who is currently or was previously employed by a school district.

“Employer” is defined as a school district employer, regardless of location.

“Thirty-day review period” is defined as the 30 calendar days after receipt of an applicant’s personnel documents from another school district employer.

RELEASE OF PERSONNEL RECORDS

Before hiring an applicant for a certificated or non-certificated position with the district, the individual will be requested to sign a statement authorizing his/her current and past school district employers, either in-state or out-of-state, to release all information relating to the job performance and/or job related conduct, and make available to the school district copies of all documents in the current or past employer’s personnel files, investigative files, or other files. In the event the applicant declines to sign a statement, the applicant will not be considered for employment with the district.

Before hiring an applicant, the district will request in writing, electronic or otherwise, the applicant’s current and past public school employers, including out-of-state employers, to provide the information required in this policy. A copy of the authorization signed by the applicant will be included with the request.

Documentation relating to the job performance or job-related conduct of an applicant includes the following:

- All annual evaluations;
- Letters of reprimand or direction;
- Letters of commendation or award;
- Disciplinary actions and documentation of disciplinary investigations;
- Recommendations for probation, notices of probation, and notices of removal from probation;
- Recommendations for termination or nonrenewal;

- Notices of termination or nonrenewal;
- Notices from the Idaho professional standards commission or other similar state agency of action taken against an individual's certificate; and
- Any rebuttal documentation filed by the employee relative to any of the above documents.

Information received pursuant to this policy will be used only for the purpose of evaluating an applicant's qualifications for employment in the position in which the individual has applied. Except as provided by law, a board member or employee of this school district shall not disclose the information to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment. A person who releases an applicant's information in violation of this provision may be civilly liable for damages caused by such violation.

PROVISIONAL HIRING

An applicant hired provisionally pending the review of documents shall be provided with the same compensation and benefits as other employees in similar positions.

Applicants for Certificated Positions

For individuals employed on a non-contracted provisional basis for a certificated position, a standard certificated contract will be automatically issued at the end of the 30-day review period, unless prior to that time, the board articulates in writing the specific information received which justifies a decision not to issue a standard contract. Any reason articulated by the board must be derived only from the documents received in the personnel file and may not be based upon any event that has occurred during the period of time the employee had the status as a non-contracted provisional certified professional employee.

A request will be made to the office of the superintendent of public instruction for 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 certificated holder's certificate, any prior or pending revocation, suspension or the existence of any prior letters of reprimand and information relating to job performance.

Applicants for Non-Certificated Positions

FAILURE TO RECEIVE DOCUMENTS

In the event a request for documents is sent to an out-of-state employer with a signed consent, and the out-of-state school district fails or refuses to cooperate with the request, this school district may employ the applicant without utilizing conditional employment.

For those applicants with no prior public school work experience, or whose out-of-state employer fails or refuses to cooperate with the request, applicants will be requested to sign a

release allowing school district employees to contact their references for information that is job-related.



LEGAL REFERENCE:

Idaho Code Sections

9-340C(1)

33-1210

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*