

PERSONNEL

Hayden Canyon Charter School

5000 Board Goal/Personnel

The human resources of the Charter School are valuable and significant in creating an effective educational program and learning environment. Schools function most efficiently and successfully when highly qualified individuals are employed to staff the needs of the Charter School. Opportunities for staff development should be provided periodically. Supervision is a necessary, ongoing function of the Charter School's leadership. The board seeks to promote an efficient and positive school climate in all educational endeavors, in order that students may work toward their greatest potential, and the community will be proud of its investment.

Nothing contained in the policies or administrative procedures included herein is intended to limit the legal rights of the Board or its agents except as expressly stated.

Should any provision of Board policy or administrative procedure be held to be illegal by a court of competent jurisdiction, all remaining provisions shall continue in full force and effect.

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5100 Hiring Process and Criteria

The Administrator is responsible for recruiting personnel, in compliance with Board policy, and making hiring recommendations to the Board. Educational support personnel applicants are initially screened by the Administrator. The Charter School shall hire highly qualified personnel, consistent with budget and staffing requirements, and shall comply with Board policy and state law on equal employment opportunities. All applicants must complete a Charter School application form in order to be considered for employment and must also go through the screening process outlined in Idaho Code 33-1210. See 5100P.

Each person hired by the Charter School will undergo a criminal history check consistent with Idaho law. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law. There will be no discrimination in the hiring process. see Policy 5120.

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.

Certification of Professional Personnel

The Charter School shall require that its contracted certificated staff hold a valid Idaho certificate endorsed for the role and responsibilities for which they are employed. All certificated professional employees must be employed on a written contract in the form approved by the State Superintendent of Public Instruction. The Charter School will withhold the salary of any certificated professional employee who does not hold a valid certificate.

Upon receipt of a proposed contract for the ensuing school year, the person shall deliver the signed contract to the Charter School within 10 business days of receipt of the same. Delivery of a contract may be made only in person or by certified mail, return receipt requested. Should any person refuse to acknowledge receipt of a contract or not return a signed contract to the Charter School within the time period set forth herein, the Charter School may declare the position vacant and offer the contract to another person.

The personnel office will retain a copy of each contracted certificated employee's valid certificate in the employee's personnel file.

Cross Reference: 5110	Fingerprinting and Criminal Background Investigations
5500	Personnel Files

Legal Reference:	I.C. 33-130 Governance of schools, Professional personnel
	I.C. 33-1210 Information on past job performance

Policy History:

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Hayden Canyon Charter School

5100F1 Authorization for Release of Information on Past Employment

**AUTHORIZATION FOR RELEASE OF INFORMATION ON PAST EMPLOYMENT
WITH SCHOOL EMPLOYERS
IDAHO CODE 33-1210**

Idaho Law requires Applicants for any position at any Idaho Public School to allow the hiring Charter School 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 Charter School 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 employers of the Applicant/undersigned on this form, including Applicants outside of the State of Idaho, to release to the hiring Charter School all information relating to the job performance and/or job related conduct of the Applicant and make available to the hiring Charter School copies of all documents in the previous employer's personnel file, investigative file (regardless of outcome or finding, if any), 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.

Pursuant to state law, "documentation related to the job performance or job related conduct of any employee/applicant is defined as, and may be limited by the producing district to include: all annual evaluations, letters of reprimand, letters of direction, letters of commendation or award, disciplinary actions and documentation of disciplinary investigations, recommendations for probation, notices of probation, notices of removal from probation, recommendations for termination or nonrenewal, notices of termination or nonrenewal, notices from the professional standards commission of Idaho or any other such 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." I.C. § 33-1210(2)(b).

§ 33-1210 RELEASE:

I understand that the above requirements are a condition of my obtaining employment with Hayden Canyon Charter School 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 Charter School via electronic means.

 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 Charter School 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 Charter School'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 Charter School makes no guaranty or promise of employment to the Applicant. Further, the hiring Charter School 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 Charter School for any length of time or pursuant to any additional conditions.

Hayden Canyon Charter School

5100F2 Request to Employer for Past Employment Information

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

Idaho Code 33-1210 requires all Idaho Public School employers to obtain past Idaho Public School employer performance information regarding any individual they are considering for hire, with regard to any position at an Idaho Public School. [Idaho Code 33-5210 (3) requires public charter school to comply with laws governing safety including but not limited to sections . . .33- 130 (Criminal history checks for school district employees or applicants for certificates or individuals having contact with students) and Idaho Code 33-1210 is clearly designed as a safety measure for public schools hiring certificated employment candidates.]

The aforementioned statute requires Applicants to sign a statement “authorizing the applicant’s current and past employers, including employers outside of the State of Idaho, to release to the hiring Charter School all information relating to the job performance and/or job related conduct, if any, of the applicant and making available to the hiring Charter School 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 Hayden Canyon Charter School. This individual has identified your Public School as a prior employer. Accordingly, we are requesting that you please provide to the Charter School a copy of all information relating to this individual’s performance as an employee with your Public School. In accordance with the terms of the statute in question, we request receipt of this information within 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:

Hayden Canyon Charter School, 13782 N Government Way, Hayden, ID 83835

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 or more of the following:

1. That the employer knew the information disclosed was false or misleading;
2. That the employer disclosed the information with reckless disregard for the truth;
3. That the disclosure was specifically prohibited by a state or federal statute.

Should you have any questions regarding this matter, please contact: Cynthia Lamb at the above contact information.

Hayden Canyon Charter School HR

Hayden Canyon Charter School

5100P Procedures for Obtaining Personnel Records for Applicants

Procedures for Obtaining Personnel Records for Applicants

1. Before hiring an applicant for employment in a certificated or non-certificated position the Charter School shall have the applicant sign the statement/release (form 5100F1) and provide a list of their previous employers. The list may be obtained via resume or application. The Charter School 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 Charter School to each and every, current or past, in state or out of state, school district employer of the applicant along with a request for information relating to job performance and/or job-related conduct (Form 5100F2).

Note: The Charter School is not required to request the information for all applicants. The School is only required to request the information for the applicant(s) who are considered being offered the position. However, in the interest of timeliness, as it may take up to 20 days to receive such information, the Charter School may request the information of every applicant who has sent a signed statement/release.

3. The Charter School may follow up with current or past school district employers if the information requested has not been received within 25 days from the date the request was sent. The Charter School may hire non-certificated applicants on a non-contractual 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 Charter School 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. The Board directs the Executive Director to establish steps to be taken in confirming prior work experience and checking references of new employees whose former employers refuse to release documentation, and for those with no prior public school work experience.
4. The Charter School shall also request the State Department of Education provide 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.
5. When such information and documentation is not received prior to screening or interviews, the Charter School will review such information no less than 30 days after it has been received. If an applicant has been offered provisional employment pursuant to I.C. 33-1210(7), the Charter School should review the documentation within ten days of receipt. If a written statement of non-employment is to be provided to the provisional employee, it shall

be provided before the end of 30 days after the receipt of the documents. If the provisional employee is to be employed by the Charter School, a written contract should be provided prior to the end of the 30-day period. It is the goal of the Charter School to avoid any situation where an applicant or provisional employee is employed by default or without a written contract.

6. The Charter School 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 Charter School 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.

Procedure History:

Promulgated on:

Revised on: 8/2020

Reviewed on:

Hayden Canyon Charter School

[Note: Charter School personnel contracts are no longer required to be on a form approved by the State Superintendent of Public Instruction. However, employment of charter school teachers must be on written contract conditioned upon a valid certificate being held by such professional personnel. If the Charter School chooses not to follow the state contracting forms as outlined below, this policy should be modified to reflect the Charter School's contract specifications.]

5105 Certificated Personnel Employment

Definitions

Category 1 Certificated Employees: Certificated personnel hired on a limited one year contract after August 1st or the spouse of a Director hired under the limited provisions of Section 33-507(3), Idaho Code.

Category 2 Certificated Employees: Certificated personnel in the first and second years of continuous employment within the same school.

Category 3 Certificated Employees: Certificated personnel in the third year of continuous employment by the same school.

Renewable Contract Certificated Employees: At the Charter School's sole discretion, and with the exception of Interim Certificate holders, upon being offered a contract for a fourth full consecutive year of employment as a certificated teacher, certificated personnel may automatically renew their employment with this Charter School, for the next school year, by timely returning their contract.

The Charter School shall have the option to grant renewable contract status when it hires a certificated employee who had been on a renewable contract with another Idaho charter school/school district or who has out-of-state experience which would otherwise qualify the certificated employee for renewable contract status in Idaho. Alternatively, the Charter School can place the certificated employee on a Category 3 contract. Such Category 3 placement may be for one, two, or three years.

Retired: Certificated personnel receiving retirement benefits from the public employee retirement system of Idaho, except those who received benefits under the early retirement program previously provided by the State, will be hired as at-will employees on a form contract approved by the Superintendent of Public Instruction for Retired Teachers or Retired Administrators. Retired school employee means any School employee employed as instructional staff, pupil service staff, or professionally endorsed staff and any staff holding a certificate as described in to 33-1210A, Idaho Code, as well as school bus drivers and resource officers.

Interim Certificate Holder: A certificated employee who holds an interim certificate while they pursue an alternate route to certification must complete at least nine semester credits annually toward the completion of their alternate route to certification and meet their annual

progress goals toward the completion of the alternate route. The Charter School may take action to terminate or non-renew a teacher with an interim certificate who fails to meet these requirements. Such termination or non-renewal shall be carried out in accordance with State law and administrative rules and Charter School policy. Personnel who hold an interim certificate and/or emergency authorization and have not been issued their five year renewable certificate shall not exceed a Category 3 Contract until conditions have been met.

Notice

1. Category 1 certificated employees' contracts are specifically offered for the limited duration of the ensuing school year, and no further notice is required by the Charter School to terminate the contract at the conclusion of the contract year.
2. Category 2 certificated employees shall be provided a written statement of reason for non-reemployment by no later than July 1st and are not entitled to a review of the reasons or decision not to reemploy by the Board.
3. Category 3 certificated employees shall be provided a written statement of reason for non-reemployment by no later than July 1st and shall, upon written request, be given the opportunity for an informal review of such decision by the Board. The parameters for the informal review will be determined by the Board. Before the Board determines not to renew the contract for the unsatisfactory performance of category 3 certificated employees, such employees shall be entitled to a defined period of probation as established by the Board, following at least one evaluation. In no case shall the probationary period be less than eight weeks. The probation shall be preceded by written notice from the Board, with the reasons for the probationary period and the areas of work which are deficient and with provisions for adequate supervision and evaluation of the employees' performance during the probationary period.
4. Contracts for all renewable contracted certificated employees shall be issued by July 1st. All employees on renewable contracts must timely return their contract. The employee's failure to timely return a renewable contract may be interpreted by the Board as a declination of the right to automatic renewal or the offer of another contract. Before the Board determines not to renew the contract for the unsatisfactory performance of renewable contracted certificated employees, such employees shall be entitled to a defined period of probation as established by the Board, following an observation, evaluation, or partial evaluation. The probation shall be preceded by written notice from the Board, or its designee, with the reasons for the probationary period and with provisions for adequate supervision and evaluation of the employees' performance during the probationary period.
5. Contracts for retired teachers are specifically offered for the limited duration of the ensuing school year, and no further notice is required by the Charter School to terminate the contract at the conclusion of the contract year.

Supplemental Contracts

An extra duty assignment is, and extra duty supplemental contracts may be issued for an assignment which is not part of a certificated employee's regular teaching duties. A

supplemental contract for extra duties shall be separate and apart from the certificated employee's underlying contract (Category 1, 2, 3 or renewable) and no property rights shall attach. A written notice of non-reissuance of the extra duty supplemental contract with a written statement of reasons shall be provided. Upon written request, the certificated employee shall be given the opportunity for an informal review of such decision by the Board. The parameters for the informal review will be determined by the Board.

An extra day assignment is, and supplemental extra day contracts may be issued for, an assignment of days of service in addition to the standard contract length used for the majority of certificated employees of the Charter School. Such additional days may be in service of the same activities as the employee's regular teaching duties. Any such extra day contracts shall provide the same daily rate of pay and rights to due process and procedures as provided by the certificated employee's underlying contract (Category 1, 2, 3 or renewable).

Delivery of Contract

Delivery of a contract may be made only in person, by certified mail, return receipt requested, or electronically, return receipt requested. If delivery is made in person, the delivery must be acknowledged by a signed receipt.

If a Charter School delivers contracts via electronic means, with return electronic receipt, and the Charter School has not received a returned signed contract and has not received an electronic read receipt from the employee, the Charter School shall then resend the original electronically delivered contract to the employee via certified mail, return receipt requested, and provide such individual with a new date for contract return.

Return of the Contract

A person who receives a proposed contract from the Charter School shall have _____ days [no less than ten days] from the date of delivery to sign and return the contract.

Failure to Accept or Acknowledge

Should a person willfully refuse to acknowledge receipt of the contract or if the contract is not signed and returned to the Board within the designated time period, the Board may declare the position vacant. Through this policy the Board delegates to the Administrator AND/OR Human Resources Director the power, as the designee of the Board, to declare such position vacant should a signed contract not be returned within the designated period.

Cross Reference:	Policy 5340	Evaluation of Certificated Personnel
	Policy 6100	Administrator
Legal Reference	I.C. 33-507	Limitation upon Authority of Trustees
	I.C. 33-513	Professional Personnel
	I.C. 33-514	Issuance of Annual Contracts — Support programs _Categories of Contracts — Optional Placement

I.C. 33-514A	Issuance of Limited Contract — Category 1 Contract
I.C. 33-515	Issuance of Renewable Contracts
I.C. 33-515A	Supplemental Contracts

Policy History:

Adopted on: 3/14/2019

Revised on: 7/6/2022

Hayden Canyon Charter School

5110 Criminal History / Background Checks

General

It is the policy of the Charter School not to employ or to continue the employment of classified, professional or administrative personnel who may be deemed unsuited for service by reason of arrest and/or criminal conviction. While an arrest or conviction of a crime, in and of itself, may not be an automatic bar to employment, if an arrest or conviction relates to suitability of the individual to perform duties in a particular position, such person may be denied employment or in the case of current employees, may face disciplinary action, up to and including termination.

It is the policy of this Charter School to perform criminal history checks as required by Idaho law and to perform other types of background checks on employees or volunteers including, but not limited to:

1. Contacting prior employers for references;
2. Contacting personal references; and/or
3. Contacting other persons who, in the discretion of the Charter School, could provide valuable information to the Charter School.

Where a prior conviction is discovered, the Charter School will consider the nature of the offense, the date of the offense and the relationship between the offense and the position for which application is sought, or the person is employed. Any individual convicted of a felony offense listed in I.C. 33-1208(2) shall not be hired.

Initial Hires

In order to protect the health, safety and welfare of the students of the Charter School, Idaho law requires the following certificated and classified employees to subject to criminal history checks:

1. Certificated and non-certificated employees;
2. All applicants for certificates;
3. Substitute staff;
4. Individuals involved in other types of student training such as practicums and internships; and
5. All individuals who have unsupervised contact with students.

A criminal history check shall be based on a completed ten (10) finger print card or scan and include, at a minimum, the following:

1. Idaho bureau of criminal identification;
2. Federal bureau of investigation (FBI) criminal history check;

3. Statewide sex offender register.

Employees will be required to undergo a criminal history check within five (5) days of starting employment, or unsupervised contact with students whichever is sooner.

The fee charged to an employee shall be forty dollars (\$40.00). All criminal history check records will be kept on file at the state department of education. A copy of the records will be given to the employee upon request.

Employee Arrest or Conviction

All employees shall have the continuing duty to notify the Charter School of any arrest or criminal conviction that occurs subsequent to being hired by the Charter School. In the event that any employee, whether full-time or part-time, probationary or non-probationary, classified or certified, is arrested, charged or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions, he/she is required to report such arrest promptly to the employee's supervisor or department head or Administrator within one (1) business day unless mitigating circumstances exist. This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including termination.

Additionally, if an employee has a protection order served against him/her, the employee shall follow the same reporting requirements as outlined above.

Supervisors or department heads shall contact the Administrator or designee upon receiving notification that an employee has been arrested or has a protection order served against him/her. The Charter School reserves the right to determine appropriate disciplinary action in such cases, up to and including termination, depending upon the facts and circumstances surrounding the incident.

It is the discretion of the Charter School to terminate or take other action against any employee that has either been convicted of one (1) or more of the felony offenses set forth in I.c. 33-1208 or made a material misrepresentation or omission on their job application.

Substitute teachers

The State Department of Education shall maintain a statewide list of substitute teachers. To remain on the statewide substitute teacher list, the substitute teacher shall undergo a criminal history check every five (5) years. If a substitute teacher has undergone a criminal history check within five (5) years as a result of employment with another Charter School, the Charter School, may in its sole discretion, not require a substitute to undergo a criminal history check. If the Charter School does desire a substitute teacher, who has undergone a criminal history check within the last five (5) years, to undergo an additional criminal history check, the Charter School will pay the costs of such check.

Other employees

The Charter School may require that any employees subjected to criminal history checks. If required, the Charter School will pay the costs of such checks.

Volunteers

Any volunteer in the Charter School who has regular unsupervised access to students, as determined by the Administrator or the Administrator's designee, shall submit to a fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration for volunteering in the schools of this Charter School.

Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If a volunteer has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Administrator, who shall decide whether the volunteer is suitable to be in the presence of the students in the Charter School. Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

Contractors

The Charter School maintains a safe environment for students by developing a system that crosschecks all contractors and other persons that have irregular contact with students against the statewide sex offender register.

Confidentiality

Outstanding warrants, criminal charges, and/or protective orders may be confidential. An employee who is provided access to such information relating to another employee shall ensure that the information remains confidential. If an employee discloses such information without authorization, the employee shall be subject to disciplinary action.

Legal Reference: I.C. 33-130 Criminal history checks for school district employees or applicants for certificates
 I.C. 93-512 Governance of schools
 I.C. 59-340(C) Records Exempt from Disclosure
 Public Law 105-251, Volunteers for Children Act

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5120 Equal Employment Opportunity and Non-Discrimination

The Charter School shall provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, sex, gender identity and expression, sexual orientation, age, ancestry, marital status, military status, citizenship status, pregnancy, use of lawful products while not at work, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodations, and other legally protected categories.

The Charter School will make reasonable accommodation for an individual with a disability known to the Charter School if the individual is otherwise qualified for the position, unless the accommodation would impose an undue hardship upon the Charter School.

Inquiries regarding discrimination should be directed to the Title IX or Nondiscrimination Coordinator. Specific written complaints should follow the Uniform Grievance Procedure.

In compliance with federal regulations, the Charter School will notify annually all students and applicants of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator.

Cross Reference: 5250 Uniform Grievance Procedure
5500 Hiring Process and Criteria

Legal Reference: 29 U.S.C. 621, et seq. Age Discrimination in Employment Act
42 U.S.C. 12111, et seq. Americans with Disabilities Act, Title I
29 U.S.C. 206(d) Equal Pay Act
8 U.S.C. 1324(a), et seq. Immigration Reform and Control Act
29 U.S.C. 791, et seq. Rehabilitation Act of 1973
42 U.S.C. 2000(e), et seq., 29 C.F.R., Part 1601 Title VII of Civil Rights Act
20 U.S.C. 1681, seq., 34 C.F.R., Part 106 Title of the Education Amendments
29 CFR 1604.10 Pregnancy Discrimination Act - Employment Policies Relating to Pregnancy and Childbirth
I.C. 67-5909 Acts Prohibited

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5125 Reporting New Employees

The Idaho Legislature has established an automated state directory of new hires to be administered by the Idaho Department of Labor (herein after "department"). The state directory of new hires provides a means for employers to assist in the state's efforts to prevent fraud in the welfare, worker's compensation, and unemployment insurance programs, to locate individuals to establish paternity, to locate absent parents who owe child support, and to collect support from those parents by reporting information concerning newly hired and rehired employees directly to a centralized state database.

The Charter School will report the hire or rehire of an individual by submitting to the department a copy of the employee's completed and signed United States internal revenue service form W-4 (employee's withholding allowance certificate). Before submitting the W-4 form, the charter school will ensure that the W-4 form contains the following information:

1. The employee's name, address, and social security number;
2. The charter school's name, address, and federal tax identification number;
3. The Charter School's Idaho unemployment insurance account number, which must be designated at the bottom of the form; and
4. The employee's date of hire or rehire, which must be designated at the bottom of the form.

This Charter School will report the hiring or rehiring of any individual to the department within twenty (20) calendar days of the date the employee actually commences employment for wages or remuneration. The report will be deemed submitted on the postmarked date or, if faxed or electronically submitted, on the date received by the department. A copy of the report will be retained by the school, and the copy will set forth the date on which the report was mailed, faxed, or electronically transmitted.

Should the Charter School choose to file its report electronically, the district will comply with the department's regulations of such transmissions. Electronically transmitted reports will be filed by two monthly transmissions, if necessary, not less than twelve (12) days apart and not more than sixteen (16) days apart.

The Charter School is not liable to the employee for the disclosure or subsequent use of the information by the department or other agencies to which the department transmits the information.

Legal Reference:

I.C. 72-1601 et seq., State Directory of New Hires

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5205P6 Paraeducator Job Description

Title: Teachers' Aid/Paraeducator

Qualifications: High School Diploma and have:

- 1) completed two (2) years of college or thirty-two (32) hours of academic credit.
- 2) obtained at least an academic associate's degree or higher demonstrated knowledge of, and ability to assist in instructing reading readiness, writing, reading, and mathematics readiness by successfully passing the ParaPro assessment or a similar formal state or local academic assessment test.

Responsible to: Supervising Teacher and Administrator/Principal

Performance Tasks: The Teacher's Aid/Paraeducator shall:

- A. Work with the classroom teacher to develop specific programs to help with the instruction of below-grade level students.
- B. Work individually and with small groups of students in an instructional capacity in language arts, reading, math, and behavior.
- C. Carry out instructional programs designed by the teacher.
- D. Participate in parent conferences when appropriate.
- E. Maintain necessary records to comply with regulations and evaluate students' progress.
- F. Work with the teacher to develop classroom schedules.
- G. Supervise children in hallway, café, and playground in accordance with Harbor Method philosophy.
- I. Assist in handling crisis problems and behavior management.
- J. Perform such other duties as may be assigned.

Terms of Employment: The employment period and salary shall be determined by the Board. Employment in this position shall be "at will" and may be discontinued at the discretion of the Board at any time, or without any cause.

Evaluation: Performance of this position will be evaluated at least once a year by the Administrator in cooperation with the supervising teacher

Hayden Canyon Charter School

5205P7 Food Service Director Job Description

Title:	Food Service Director
Qualifications:	<p>High School Diploma. Post-secondary food service training or work experience is desirable. Meets all mandated health requirement (e.g. a negative tuberculosis test, etc.). A record free of criminal violations that would prohibit public school employment. Ability to monitor and manage compliance with nutrition, health, and safety laws/regulations. Ability to accurately compute and record mathematical data. The interpersonal, problem-solving and organizational skills required to supervise the food service program. The ability to perform the tasks listed below. Such other qualifications of academic, professional, and personal excellence as the Board of Trustees may specify.</p>
Responsible to:	Administrator/Principal
Job Goal:	Supervise the planning, delivery, assessment, and ongoing improvement of the food service operations in the manner that supports the Charter School's Mission.

Performance Tasks: The Food Service Director shall:

- A. Supervise food service operations (e.g. staffing, menu planning, purchasing, warehousing, distribution, inventory, food preparation, record keeping, etc.) Monitor customer satisfaction and market the program to maximize profits. Account for all meals and prepare proper record keeping.
- B. Analyze data to improve food service operations. Monitor community demographics, resources, and emerging trends.
- C. Provide staff leadership. Engender staff enthusiasm and teamwork. Promote a safe, efficient, and effective working/learning environment. Use problem-solving techniques to tactfully address questions/concerns.
- D. Prepare revenue and expense projections and submit to the Board each semester. Manage cost-control programs. Obtain price quotes and prepare the food service project for submission to the Board. Administer the food service budget. Approve the purchase of food, supplies and equipment within the parameters of the food service budget.
- E. Comply with all reporting requirements. Ensure compliance with mandated regulations (e.g. portion size, sanitation procedures, etc.).
- F. Review applications for free and reduced meals. Maintain the confidentiality of privileged information.

G. Participate in food service staff selection and orientation processes. Ensure volunteers are properly trained in procedures to effectively accomplish assigned duties. Evaluate certified kitchen staff at least one (1) time per school year.

H. Publish menus. Make available a variety of food choices that appeal to customer preferences.

I. Manage food preparation activities. Ensure that meals meet USDA child nutrition guidelines.

J. Address the needs of students with health conditions that necessitate dietary modification.

K. Attend all mandatory training provided by State or Federal agencies and keep updated of new USDA and other food service laws and regulations.

L. Oversee proper maintenance of café area.

M. Coordinate food service activities with other departments and outside agencies. Uphold Board policies and follow administrative guidelines/procedures.

N. Perform such other duties as assigned by the Principal/Administrator.

Terms of
Employment:

The employment period and salary shall be determined by the Board of Directors and the Principal/Administrator, and shall be based on the Board's approved salary schedule.

Employment in this position shall be "at will" and may be discontinued at the discretion of the Board at any time, or without any cause.

Evaluation: Performance of this position will be evaluated at least once a year by the Principal/Administrator.

By signing below, I acknowledge that I have read and understand the above job description.

Employee's Signature

Date

Procedure History:

Adopted on: March 14, 2019

Revised _____ and _____ Adopted _____ on:

Hayden Canyon Charter School**5205P8****Athletics****Director**

Title: Athletics Director

Qualifications: The interpersonal, problem-solving, and organizational skills required to supervise the athletic program; the ability to perform the tasks listed below; and such other qualifications of academic, professional, and personal excellence as the Board of Trustees may specify.

Responsible to: Administrator/Principal

Job Goal: Manage and supervise the athletics program with the intent to be self-sustainable and profitable.

Performance Tasks: The Athletics Director will:

- A. Oversee the general athletic program activities
Attend monthly middle school athletic director conference meetings.
Schedule middle school conference and non-conference team games and meets. Coordinate and facilitate home games.
- B. Ensure the collection of necessary insurance documents, release forms and volunteer forms).
- C. Recruit/hire/guide coaches, assistant coaches, including volunteers to coordinate team building activities (e.g. season end party, etc.), to assist during games and program activities as needed (e.g. scorekeeper, etc.), and to facilitate athletic programs for elementary school students.
Coordinate and facilitate home games and transportation needs including bus and carpools to away games.
- D. Develop a master schedule for all gym use and submit to administration for complete coordination of facility.
- E. Be responsible for the marketing and management of any athletic extra-curricular programs and after-school gym use and/or rental, including the securing of the gym and school building after said programs.
- F. Manage the financial aspect of the athletic program, including the preparation of the athletics budget, which is submitted to the Board of Trustees. Manage and track all revenues and expenses and submit a report to the Board of Trustees each semester. Communicate and coordinate with the Charter School any maintenance or replacement of gym and athletic equipment. Approve bill payments related to the athletic program and submit to Business Manager.
- G. Coordinate fundraising efforts with the Charter School "Booster Club" parents (e.g. concessions, promotional sales, etc.)

H. Communicate the athletic program to the Charter School community.

I. Assist other departments within the Charter School with programs related to health and fitness.

Terms of Employment: The employment period and salary will be determined by the Board of Directors and the Principal/Administrator. Salary will be based on the Board's approved salary schedule. Employment in this position shall be "at will" and may be discontinued at the discretion of the Board at any time, or without any cause.

Evaluation: Performance of this position will be evaluated at least once a year by the Principal/Administrator.

By signing below, I acknowledge that I have read and understand the above job description.

Employee's Signature

Date

Procedure History:

Adopted on: March 14, 2019

Revised _____ and _____ Adopted _____ on:

Hayden Canyon Charter School

5235 Health Examination

The Charter School has a legal obligation to protect the morals, health, and safety of the Charter School's students and personnel and in furtherance of such has an obligation to prohibit the presence of and/or provide for the removal of individuals whose presence is detrimental to the morals, health, safety, academic/learning environment, or discipline of pupils. The Charter School further has a legal obligation to assure that professional teaching personnel are free from contagious disease.

Should a situation arise where the Administrator or designee has reasonable and articulated grounds to believe that any school employee, certificated or non-certificated, is suffering from a physical or mental illness and that such illness:

1. Prevents or impairs the ability of the employee to perform his or her duties; or
2. Poses a risk and/or is detrimental to the health, welfare, or safety of students; or
3. Poses a risk and/or is detrimental to the health, welfare, or safety of other employees; or
4. Falls within the requirements of Section 33-1202(3), Idaho Code, for certificate holders to be free from contagious diseases that may pose a health or safety risk to students or other employees;

the Administrator or designee may require the employee to secure a physical or mental examination and obtain a written medical certificate clearing the employee for work to be submitted to the Administrator and may put such employee on a period of paid leave, pursuant to Charter School and State statutory leave requirements, until such time as the examination and clearance to return to work has been obtained. Should such a request be made:

1. The requested examination shall be at the cost of the employee ;
2. The information obtained by the Charter School as a result of the examination shall remain confidential and disclosed only to employees in a position to require knowledge; and
3. The employee shall not suffer any loss of compensation during the period of absence associated with the requested examination.

Legal Reference: I.C. 33-512 Governance of Schools
I.C. 33-1202 Eligibility for Certificate

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5240 Sexual Harassment/Sexual Intimidation in the Workplace

According to the Equal Employment Opportunity Commission, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including unwanted touching, verbal comments, sexual name calling, gestures, jokes, profanity, and spreading of sexual rumors.

The Charter School shall do everything in its power to provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law. In addition, Administrators and Supervisors are expected to take appropriate steps to make all employees aware of the contents of this policy. A copy of this policy will be given to all employees.

Charter School employees shall not make sexual advances or request sexual favors or engage in any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms "intimidating", "hostile", or "offensive" include, but are not limited to, conduct which has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all of the circumstances.

Aggrieved persons who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication, that such conduct or communication is offensive and must stop.

Employees who believe they may have been sexually harassed or intimidated should contact the Title IX coordinator or an administrator, who will assist them in filing a complaint. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Investigation.

When an allegation of sexual harassment is made of any employee, the designated school officials will take immediate steps to:

1. Protect the grievant from further harassment;
2. Discuss the matter with and obtain a statement from the accused and his representative, if any;
3. Obtain signed statements of witnesses;
4. Prepare a report of the investigation.

Confidentiality

Due to the damage that could result to the career and reputation of any person falsely or in bad faith accused of sexual harassment, all investigations and hearings surrounding such matters will be designed to the maximum extent possible to protect the privacy of, and minimize suspicion towards, the accused as well as the complainant. Only those persons responsible for investigating and enforcing this policy will have access to confidential communications. In addition, all persons involved are prohibited from discussing the matter with co-workers and/or other persons not directly involved in resolving the matter.

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Cross Reference: 5250 Uniform Grievance Procedure

Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. 2000(e), et seq.,
29 C.F.R. §1604.1 1
Title IX of Education Amendments, 20 U.S.C. 1681, et seq.
I.C. 67-5909 Acts Prohibited

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5240F Sexual Harassment/Intimidation in the Workplace Policy Acknowledgment

I have read and been informed about the content and expectations of the Sexual Harassment/Intimidation in the Workplace Policy. I have received a copy of the policy and agree to abide by the guidelines as a condition of employment and continuing employment by the Charter School.

Employee Signature

Employee Printed Name

Date

Policy History
Adopted on: March 14, 2019
Revised on:

Hayden Canyon Charter School

5250 Certificated Staff Grievances

It is the Board's desire that procedures for settling certificated staff grievances be an orderly process within which solutions may be pursued. Further, it is the Board's desire that the procedures provide prompt and equitable resolution at the lowest possible administrative level. Additionally, each certificated employee should be assured an opportunity for orderly presentation and review of employee grievances without fear of reprisal.

Grievance Definition

A grievance pursuant to this policy shall be: A written allegation of a violation of Board approved Charter School policies.

Grievance Procedure

A certified staff member with a grievance is encouraged to first discuss it with their immediate supervisor, with the objective of resolving the matter promptly and informally. An exception is for complaints of sexual harassment or violation of any other protected status, which should be discussed with the first line administrator or Administrator who is not involved in the alleged harassment. This attempt at informal resolution is not a required component of the grievance policy but is suggested in an effort to attempt to resolve disputes informally.

If the grievance is not resolved informally and the grievant wishes to continue to seek to address the grievance, the grievant shall fill the written grievance with the Administrator. The written grievance shall state:

1. the policy or policies the employee believes were violated;
2. the alleged date of violation;
3. the actor involved in the alleged violation; and
4. the remedy requested by the employee.

The written grievance must be filed with the Administrator within ten (10) working days of the date of the initial event allegedly giving rise to the grievance.

The Administrator or designee of the Administrator shall meet with the grievant and shall, at the discretion of the Administrator or designee, conduct whatever additional meetings or investigative activities the Administrator or designee believes are necessary to address the grievance.

Subsequent to these activities and within a period of ten (10) working days, the Administrator shall provide the grievant with a written response to the grievance of the certificated employee.

If the Administrator or designee does not provide a written response to the grievance at the conclusion of ten (10) working days and no extension of this time period has been agreed to between the grievant and Administrator or designee, the grievance can be advanced to the Board without written response of the Administrator or designee.

Upon receipt of a written appeal of the decision of the Administrator, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

Procedure History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5260 Abused and Neglected Child Reporting

The personal safety and welfare of each child is of paramount concern to the Board of Trustees, employees, and patrons of the Charter School. It is of particular importance that employees within the Charter School become knowledgeable and thoroughly educated as to their legal and ethical responsibilities on observation and reporting of suspected child abuse, child abandoned, or child neglect. The supervisor shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

“Abuse” is defined in Section 16-1602 of the Idaho Code as any case in which a child has been the victim of conduct or omissions resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling . . . sexual conduct including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation harming or threatening the child’s health or welfare or mental injury to the child abandonment or neglect.

“Abandoned” means the failure of the parent to maintain a normal parental relationship with his child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one (1) year shall constitute prima facie evidence of abandonment. I.C. 16-1602(2).

“Neglected” means a child: Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; *see* I.C. 16-1602(25).

A Charter School employee who has reasonable cause to suspect that a student may be an abused, abandoned, or neglected child or who observes a child being subjected to conditions which would reasonably result in abuse, abandonment or neglect shall report or caused to be reported such a case to the Administrator and local law enforcement or the Department of Health and Welfare within twenty four (24) hours.

The Charter School employees shall notify their supervisor immediately of the case. The supervisor shall immediately notify the Administrator or the Administrator’s designee, who shall in turn report or caused to be reported the case to local law enforcement or the Department of Health and Welfare.

Any person who has reason to believe that a child has been abused, abandoned, or neglected and, acting upon that belief, makes a report of abuse, abandonment or neglect as required in Idaho Code 16-1605 shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports in bad faith or with malice is not entitled to immunity from any civil or criminal liability that might otherwise be incurred or imposed. I.C. 16-1606.

In addition, “any person who makes a report or allegation of child abuse, abandonment or neglect knowing the same to be false or who reports or alleges the same in bad faith or with malice shall be liable to the party or parties against whom the report was made for the amount of actual damages sustained or statutory damages of five hundred dollars (\$500), whichever is greater, plus attorneys’ fees and costs of suit. If the court finds that the defendant acted with malice or oppression, the court may award treble actual damages or treble statutory damages, whichever is greater.” I.C. 16-1607.

Any Charter School employee who fails to report a suspected case of abuse, abandonment or neglect to the Department of Health and Welfare or local law enforcement, or who prevents another person from doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

Legal Reference: I.C. §16-1605 Reporting of Abuse, Abandonment or Neglect
 I.C. §16-1606 Immunity
 I.C. §16-1607 Reporting in Bad Faith-Civil Damages
 I.C. §16-1602 Definitions

Policy History:

Adopted on March 14, 2019

Revised on:

Hayden Canyon Charter School

5265 Employee Responsibilities Regarding Student Harassment and Bullying

The personal safety and welfare of each child is of paramount concern to the Board of Directors, employees, and patrons of the Charter School. It is of particular importance that employees within the Charter School become knowledgeable and thoroughly educated as to their legal and ethical responsibilities regarding intervention and reporting of student harassment, intimidation, and bullying.

Intervention

Charter School employees are authorized and expected to intervene or facilitate intervention on behalf of students facing harassment, intimidation, and bullying.

Intervention shall be designed to:

1. Correct the problem behavior;
2. Prevent another occurrence of the problem;
3. Protect and provide support for the victim of the act; and
4. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Professional Development

The Charter School shall provide ongoing professional development to assist school employees in preventing, identifying, intervening, and responding to harassment, intimidation, and bullying.

The content of ongoing professional development for Charter School employees shall include, but is not limited to:

1. School philosophy regarding school climate and student behavior expectations;
2. Definitions of harassment, intimidation, and bullying with specific examples;
3. School prevention strategies or programs including the identification of materials to be distributed annually to students and parents;
4. Expectations and examples of staff intervention to harassment, intimidation, and bullying; and
5. School process for responding to harassment, intimidation, and bullying including the reporting process for students and staff, investigation protocol, the involvement of law enforcement, related student support services, and parental involvement.

Student Discipline

When disciplinary action is necessary for students engaging in harassment, intimidation and bullying, employees shall follow relevant Charter School policies [3330 and 3340].

Reporting

Any Charter School employee who has witnessed, or has reliable information, that a student has been subject to harassment, intimidation or bullying, must report the incident to the designated school official in accordance with Charter School policy and procedure [3295 and 3295P].

Knowingly submitting a false report under this policy shall subject the employee to discipline up to and including termination.

The Administrator and/or their designee shall be responsible for receiving complaints alleging student harassment, intimidation, and bullying and will ensure that documented complaints will be maintained as a confidential file in the Charter School office and reported as required by the State Department of Education.

Policy Distribution

The Administrator or designee shall annually distribute and review with employees the requirements, policies, and procedures to be followed concerning the handling of student harassment, intimidation, and bullying and shall include this information in employee handbooks. All new employees will be given these policies and procedures as part of their orientation program.

Cross Reference: 3295-3295P - Hazing, Harassment, Intimidation, Bullying, Cyber Bullying
 3330 Student Discipline
 3340 Corrective Actions and Punishment

Legal References: I.C. 18-917 Hazing
 I.C. 18-917A Student Harassment — Intimidation — Bullying
 I.C. 33-1630 Requirements for Harassment, Intimidation, and Bullying
 Information and Professional Development
 I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History.

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5270 Report of Suspected Child Abuse, Abandonment or Neglect

Original to: Local Law Enforcement – OR –
Dept. of Health and Welfare _____

Copy to: Administrator _____

From: _____ Title: _____

School: _____ Phone: _____

Persons contacted: Administrator Teacher School Nurse Other: _____

Name of Minor: _____ Date of Birth: _____

Address: _____ Phone: _____

Date of Report: _____ Attendance Pattern: _____

Father: _____ Address: _____ Phone: _____

Mother: _____ Address: _____ Phone: _____

Guardian/Step-Parent: _____ Address: _____ Phone: _____

Any suspicion of injury/neglect to other family members: _____

Nature and extent of the child’s injuries, including any evidence of previous injuries, and any other information which may be helpful in showing abuse or neglect, including all acts which lead you to believe the child has been abused, abandoned and/or neglected: _____

Previous action taken, if any: _____

Follow-up by Local Law Enforcement/Department of Health and Welfare (copy to be completed and returned to the Administrator): _____

Date Received: _____

Date of Investigation: _____

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5280 Personal Conduct

Employees are expected to maintain high standards of honesty, integrity, and impartiality in the conduct of Charter School business and required to comply and conform to the Idaho law and the Code of Ethics of the Idaho Teaching Profession.

In addition to the conduct enumerated in Idaho law and the Code of Ethics of the Idaho Teaching Profession, an employee should not dispense or utilize any information gained from employment with the Charter School, accept gifts or benefits, or participate in business enterprises or employment which create a conflict of interest with the faithful and impartial discharge of the employee's Charter School duties. A Charter School employee may, prior to acting in a manner which may impinge on any fiduciary duty, disclose the nature of the private interest which creates a conflict. Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees should hold confidential all information deemed to be not for public consumption as determined by law and Board policy. Employees shall also respect the confidentiality of people served in the course of the employee's duties and use information gained in a responsible manner. Discretion should be employed even within the school system's own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing an employee's conduct on the job within a particular building.

Legal Reference: I.C. 33-1208 Revocation, Suspension or Denial of Certificate —
Grounds Code of Ethics of the Idaho Teaching Profession

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5281 Professional Standards Commission (PSC) Code of Ethics

This version of the Code of Ethics for Idaho Professional Educators was developed by the Professional Standards Commission in September, 2003; approved by the Idaho State Board of Education in November, 2003; and approved by the Idaho legislature in March, 2004. (IDAPA 08.02.02.076) It has since been amended and approved by the State Board of Education. The date of approval follows the IDAPA subsection.

The Idaho Code of Ethics consists of Ten (10) Principles. Below is a summary of those principles - please refer to the complete document for details

Code of Ethics: The Ten Principles (Summary)

Principle I: A professional educator abides by all federal, state, and local laws and statutes.

Principle II: A professional educator maintains a professional relationship with all students, both inside and outside the classroom.

Principle III: A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice.

Principle IV: A professional educator exemplifies honesty and integrity in the course of professional practice.

Principle V: A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility.

Principle VI: A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation.

Principle VII: A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law.

Principle VIII: A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract.

Principle IX: A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators, and submits reports as required by Idaho Code.

Principle X: A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following recognized professional principles.

IDAPA 08
TITLE 02
CHAPTER 02

08.02002 - RULES GOVERNING UNIFORMITY

076. CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS (SECTIONS 33-1208 AND 33-1209, IDAHO CODE).

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles. The Code of Ethics for Idaho Professional Educators symbolizes the commitment of all Idaho educators and provides principles by which to judge conduct. (3-20-04)

01. Aspirations and Commitments. (3-20-04)

a. The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future. (3-20-04)

b. The professional educator provides an environment that is safe to the cognitive, physical and psychological well-being of students and provides opportunities for each student to move toward the realization of his/her goals and potential as an effective citizen. (4-1 1-06)

c. The professional educator, recognizing that students need role models, will act, speak and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other's cultures and beliefs. (3-20-04)

d. The professional educator is committed to the public good and will help preserve and promote the principles of democracy. He/She will provide input to the local school board to assist in the board's mission of developing and implementing sound educational policy, while promoting a climate in which the exercise of professional judgment is encouraged. (4-1 1-06)

e. The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He/She strives, therefore, to establish and maintain the highest set of professional principles of behavior, to improve educational practice, and to achieve conditions that attract highly qualified persons to the profession. (4-1 106)

f. The professional educator regards the employment agreement as a pledge to be executed in a manner consistent with the highest ideals of professional service. He/She believes that sound professional personal relationships with colleagues, governing boards, and community members are built upon integrity, dignity, and mutual respect. The professional educator encourages the practice of the profession only by qualified persons. (4-1 1-06)

02. Principle I. A professional educator abides by all federal, state, and local laws and statutes. Unethical conduct may include the conviction of any felony or misdemeanor offense as defined by Section 18-1 10 and Section 18-1 1 1, Idaho Code. All infractions (traffic) as defined by Section 18-1 13A, Idaho Code, are excluded. (3-20-04)

03. **Principle II.** A professional educator maintains a professional relationship with all students, both inside and outside the classroom. Unethical conduct includes, but is not limited to:

- a. Committing any act of child abuse, including physical or emotional abuse; (3-20-04)
- b. Committing any act of cruelty to children or any act of child endangerment; (3-20-04)
- c. Committing or soliciting any sexual act from any minor or any student regardless of age; (3-20-04)
- d. Committing any act of harassment as defined by district policy; (4-11-06)
- e. Soliciting, encouraging, or consummating a romantic or inappropriate relationship (whether written, verbal, or physical) with a student, regardless of age; (3-20-04)
- f. Using inappropriate language including, but not limited to, swearing and improper sexual comments (e.g. sexual innuendoes or sexual idiomatic phrases); (3-20-04)
- g. Taking inappropriate pictures (digital, photographic, or video) of students; (3-20-04)
- h. Inappropriate contact with any minor or any student regardless of age using electronic media; (4-11-06)
- i. Furnishing alcohol or illegal or unauthorized drugs to any student or allowing or encouraging a student to consume alcohol or unauthorized drugs except in a medical emergency; and (4-11-06)
- j. Conduct that is detrimental to the health or welfare of students. (4-11-06)

04. **Principle III.** A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to: (3-20-04)

- a. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming illegal or unauthorized drugs; (3-20-04)
- b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol; (3-20-04)
- c. Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away; and (4-11-06)
- d. Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and (4-11-06)
- e. Possession of an illegal drug as defined in Chapter 27, Idaho Code, Unified Uniform Controlled Substances. (3-20-04)

05. **Principle IV.** A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to: (3-20-04)

- a. Fraudulently altering or preparing materials for licensure or employment; (3-20-04)

b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure; (3-20-04)

c. Failure to notify the state at the time of application for licensure of past revocations or suspensions of a certificate or license from another state; (3-20-04)

d. Failure to notify the state of past criminal convictions at the time of application for licensure; (3-20-04)

e. Falsifying, deliberately misrepresenting, or deliberately omitting information regarding the evaluation of students and/or personnel, including improper administration of any standardized tests (changing test answers; copying or teaching identified test items; unauthorized reading of the test to students, etc.); (4-11-06)

f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves; (3-20-04)

g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation; and, (3-20-04)

h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues. (3-20-04)

06. **Principle V.** A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to: (3-20-04)

a. Misuse, or unauthorized use, of public or school-related funds or property; (3-20-04)

b. Failure to account for funds collected from students or parents; (3-20-04)

c. Submission of fraudulent requests for reimbursement of expenses or for pay; (3-20-04)

d. Co-mingling of public or school-related funds in personal bank account(s); (3-20-04)

e. Use of school computers for a private business; (3-20-04)

f. Use of school computers to deliberately view or print pornography; and, (3-20-04)

g. Deliberate use of poor budgeting or accounting practices. (3-20-04)

07. **Principle VI.** A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes, but is not limited to: (3-20-04)

a. Unauthorized solicitation of students and/or parents of students to purchase equipment or supplies from the educator who will directly benefit; (3-20-04)

b. Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest; (3-20-04)

c. Tutoring students assigned to the educator for remuneration unless approved by the local board of education; and, (3-20-04) d. Soliciting, accepting, or receiving a pecuniary benefit greater than fifty dollars (\$50) as defined in Section 18-1359(b), Idaho Code. (3-20-04).

08. **Principle VII.** A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to: (3-20-04)

a. Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and (3-20-04)

b. Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities. (3-20-04)

09. Principle VIII. A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to: (3-20-04)

a. Abandoning any contract for professional services without the prior written release from the contract by the employing Charter School or agency; (3-20-04)

b. Willfully refusing to perform the services required by a contract; and, (3-20-04)

c. Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students. (3-20-04)

10. Principle IX. A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to: (3-20-04)

a. Failure to comply with Section 33-1208A, Idaho Code, (reporting requirements and immunity); (3-20-04)

b. Failure to comply with Section 16-1605 Section-164619 Idaho Code, (reporting of child abuse, abandonment or neglect); (4-11-06)

c. Failure to comply with Section 33-512B, Idaho Code, (Suicidal tendencies and duty to warn); and (4-11-06)

d. Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official. (3-20-04)

Principle X. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles. Unethical conduct includes, but is not limited to: (4-11-06)

a. Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties; (3-20-04)

b. Committing any act of harassment toward a colleague; (4-11-06)

c. Conduct that is offensive to the ordinary dignity, decency, and morality of others; (4-11-06)

d. Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings; (3-20-04)

e. Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections; (4-11-06)

f. Deliberately falsifying information presented to students; (4-11-06)

- g. Willfully interfering with the free participation of colleagues in professional associations; and (4-11-06)
- h. Taking inappropriate pictures (digital, photographic or video) of colleagues. (4-11-06)

077. DEFINITIONS FOR USE WITH THE CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS (SECTIONS 33-1208 AND 33-1209, IDAHO CODE).

- 01. Administrative Complaint. A document issued by the State Department of Education outlining the specific, purported violations of Section 33-1208, Idaho Code, or the Code of Ethics for Idaho Professional Educators. (3-20-04)
- 02. Allegation. A purported violation of the Code of Ethics for Idaho Professional Educators or Idaho Code. (3-20-04)
- 03. Certificate. A document issued by the Department of Education under the authority of the State Board of Education allowing a person to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian (Section 33-1201, Idaho Code).
- 04. Certificate Denial. The refusal of the state to grant a certificate for an initial or reinstatement application. (3-20-04)
- 05. Certificate Suspension. A time-certain invalidation of any Idaho certificate as determined by a stipulated agreement or a due process hearing panel as set forth in Section 33-1209, Idaho Code. (3-20-04)
- 06. Complaint. A signed document defining the allegation that states the specific ground or grounds for revocation, suspension, denial, place reasonable conditions on a certificate or issuance of a letter of reprimand (Section 33-1209(1), Idaho Code). The State Department of Education may initiate a complaint. (4-11-06)
- 07. Conditional Certificate. Allows an educator to retain licensure under certain stated Certificate conditions as determined by the Professional Standards Commission (Section 33-1209(1), Idaho code). (3-20-04)
- 08. Contract. Any signed agreement between the school district and a certificated educator pursuant to Section 33-513(1), Idaho Code. (3-20-04)
- 09. Conviction. Refers to all instances regarding a finding of guilt by a judge or jury; a plea of guilt by Nolo Contendere or Alford plea; or all proceedings in which a sentence has been suspended, deferred or withheld. (3-20-04)
- 10. Educator. A person who holds or applies for an Idaho Certificate (Section 33-1001 (16) and Section 33-1201, Idaho code). (3-20-04)
- 11. Education Official. An individual identified by local school board policy, including, but not limited to a, principal, assistant principal, or school resource officer (SRO). (3-20-04)
- 12. Ethics Committee. A decision-making body comprised of members of the Professional Standards Commission, including the chair and/or vice-chair of the Commission. A prime duty of the Committee is to review purported violations of the Code of

Ethics for Idaho Professional Educators to determine probable cause and direction for possible action to be taken against a Certificate holder. (4-1 1-06)

13. Hearing. A formal review proceeding that ensures the respondent due process. The request for a hearing is initiated by the respondent and is conducted by a panel of peers. (3-2004)

14. Hearing Panel. A minimum of three (3) educators appointed by the chair of the Professional Standards Commission and charged with the responsibility to make a final determination regarding the charges specifically defined in the Administrative Complaint. (3-2004)

15. Investigation. The process of gathering factual information concerning a valid, written complaint in preparation for review by the Professional Standards Commission Ethics Committee, or following review by the Ethics Committee at the request of the deputy attorney general assigned to the Department of Education. (4-11-06)

16. Minor. Any individual who is under eighteen (18) years of age. (3-20-04)

17. Not-Sufficient Grounds. A determination by the Ethics Committee that there is not sufficient evidence to take action against an educator's certificate. (4-11-06)

18. Principles. Guiding behaviors that reflect what is expected of professional educators in the state of Idaho while performing duties as educators in both the private and public sectors. (3-20-04)

19. Reprimand. A written letter admonishing the Certificate holder for his/her conduct. The reprimand cautions that further unethical conduct may lead to consideration of a more severe action against the holder's Certificate. (3-20-04)

20. Respondent. The legal term for the professional educator who is under investigation for a purported violation of the Code of Ethics for Idaho Professional Educators. (3-20-04) 21. Revocation. The invalidation of any Certificate held by the educator. (3-20-04)

22. Stipulated Agreement. A written agreement between the respondent and the Professional Standards Commission to resolve matters arising from an allegation of unethical conduct following a complaint or an investigation. The stipulated agreement is binding to both parties and is enforceable under its own terms, or by subsequent action by the Professional Standards Commission. (3-20-04)

23. Student. Any individual enrolled in any Idaho public or private school from preschool through grade 12. (3-20-04)

24. Sufficient Grounds. A determination by the Executive Committee that sufficient evidence exists to issue an Administrative Complaint. (3-20-04)

VIOLATIONS OF THE CODE OF ETHICS OF THE IDAHO TEACHING PROFESSION

Under Idaho Code 33-1208; 33-1208A and 33-1209, a violation of the Code of Ethics of the Idaho Teaching Profession may lead to a letter of reprimand, suspension, revocation, or denial of a certificate.

Legal Reference: IDAPA 08.02.02.076
I.C. 33-1208

I.C. 33-1208A

I.C. 33-1209

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5320 Drug and Alcohol-Free Workplace

Purpose

Hayden Canyon Charter is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of the students we serve as well as the general public.

The use of alcohol and illegal drugs, and the misuse of prescription drugs is unacceptable. All Charter School workplaces are hereby declared to be drug- and alcohol- free workplaces. A copy of this policy will be provided to each employee with materials describing the dangers of drug use in the workplace and information on any drug counseling, rehabilitation, or employee assistance programs available.

All employees are prohibited from:

1. Unlawful manufacturing, dispensing, distributing, possessing, being under the influence of a controlled substance, or using illegal drugs or drug paraphernalia, while on Charter School premises, while performing work for the Charter School, or in attendance at Charter School-approved or school-related functions;
2. Distributing, manufacturing, selling, consuming, using, possessing, or being under any degree of intoxication or odor from alcohol while on Charter School premises, while performing work for the Charter School, or in attendance at school-approved or school-related functions; and
3. Taking prescription drugs above the level recommended by the prescribing physician and using prescribed drugs for purposes other than those for which they are intended. In addition, employees will not distribute a prescribed drug to another employee or student.

As a condition of employment, each employee shall:

1. Abide by the terms of Charter School policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her Administrator of his or her conviction under any criminal drug statute including but not limited to the use of controlled substances, alcohol, prescription drugs, or over-the-counter drugs.

Definitions as Used in This Policy

“Illegal use of drugs” means the use of drugs, the possession or distribution of which is unlawful. Such term does not include the use of a drug taken under the supervision of a licensed health care professional.

“Drug” or “illegal drug” means a controlled substance as defined in Schedules I through V of Section 202 of the Controlled Substances Act found in Chapter 27, Title 37 Idaho Code.

“Conviction” means a finding of guilt, including a plea of no-contest, withheld judgment or imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

“Criminal Drug Law” means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, possession, or use of any controlled substance.

“Controlled Substance” means any drug or substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in Federal or State controlled substance acts.

“Substance Abuse” is the misuse or illicit use of alcohol, drugs, or controlled substances, including but not limited to marijuana, heroin, or cocaine.

Confidentiality

Records that pertain to the Charter School’s employee required substance screens are recognized to be private and sensitive records. They shall be maintained by the Administrator or his or her designee in a secure fashion to ensure confidentiality and privacy and be disclosed only to the extent necessary to address any work-related safety risks occasioned by either the drug or alcohol use. Medical records, and information relating directly thereto, shall be maintained in accordance with provisions of Idaho law and used with the highest regard for employee privacy consistent with law and the purpose of achieving and maintaining a drug free workplace. All personnel records and information regarding referral, evaluation, substance screen results, and treatment shall be maintained in a confidential manner and no entries concerning such shall be placed in an employee’s personnel file.

Pre-Employment Testing

Applicants being considered for employment positions may be required to submit to a urinalysis test for the detection of the illegal use of drugs. Applicants shall be given a copy of this policy in advance of employment. Applicants must acknowledge having read or had this policy explained to them and should understand that as a condition of employment they are subject to its contents. Applicants shall sign an acknowledgment prior to substance screening, permitting the summary result to be transmitted to the Administrator or his or her designee.

An applicant refusing to complete any part of the drug testing procedure shall not be considered a valid candidate for employment with the Charter School, and such will be considered as a withdrawal of the individual’s application for employment. If substance screening shows a confirmed positive result for which there is no current physician’s prescription, a second

confirming test may be requested by the Administrator or his or her designee. If the first or any requested second confirming test is positive, any job offer shall be revoked.

Physical Examination/Screening Based Upon Reasonable Suspicion

Whenever the Board, through its authorized designee, and/or the Administrator, reasonably suspect that an employee's work performance or on-the-job behavior may have been affected in any way by illegal drugs or alcohol or that an employee has otherwise violated the Charter School's Drug-Free Workplace Substance Abuse Policy, the employee may be required to submit a breath, saliva, urine, and/or blood sample for drug and alcohol testing. When a supervisor observes or is notified of behaviors or events that lead the supervisor to believe that the employee is in violation of the Drug-Free Workplace Substance Abuse Policy, the supervisor shall notify the Administrator.

An employee who is required to submit to drug/alcohol testing based upon reasonable suspicion and refuses shall be charged with insubordination, and necessary procedures will be taken to terminate the employee in accordance with Board policy and State law.

An employee who tests positive on a reasonable suspicion test will be in violation of this policy. Violation of this policy shall constitute grounds for termination in accordance with Board policy and State law.

The Charter School's authorized designee, or the Administrator are the only individuals in the School authorized to make the determination that reasonable suspicion or cause exists to order a drug screen and are the only individuals who may order an employee to submit to a drug screen.

Two types of cases for which reasonable suspicion procedures may be invoked are:

1. Chronic cases: Deteriorating job performance or changes in personal traits or characteristics where the use of alcohol or drugs may be reasonably suspected as the cause; and
2. Acute case: Appearing to be under the present influence of alcohol and/or drugs or investigation of an accident where the use of alcohol or drugs is reasonably suspected to be a contributing cause in a specific incident or observation.

Circumstances under which substance screening may be considered, in either the chronic or acute cases, include but are not limited to the following:

1. Observed use, possession, or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol, and/or the illegal use or sale of prescription drugs;
2. Apparent physical state of impairment of motor functions;
3. Marked changes in personal behavior not attributable to other factors;
4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury; and

5. Violations of criminal drug law statutes involving the use of illegal drugs, alcohol, or prescription drugs and/or violations of drug statutes.

The circumstances under which substance screening may be considered, as outlined above, are strictly limited in time and place to employee conduct on duty or during work hours, or on or in Charter School property, or at School-approved or School-related functions.

Post-Accident Testing

Drivers while on School business or operating a School vehicle involved in a motor vehicle accident which involves either a fatality or the issuance of a citation for a moving violation to the Charter School employee may be tested for alcohol misuse and controlled substance abuse.

The driver will contact the Charter School at the time of the accident unless he or she is physically impaired as a result of the accident. The School will contact the testing lab. The testing lab will specify where the alcohol and/or controlled substance testing is to be completed.

If a driver is not able to produce enough breath to test for alcohol using a state approved breath analyzer, a blood test may be done for alcohol.

Law enforcement officials may require a driver involved in an accident to submit to tests administered as part of their jurisdiction. For purposes of this policy, only the test results provided by the Charter School testing laboratory will be accepted.

Failure of an employee to submit to testing for either alcohol or a controlled substance will be considered a positive test and will be determined as cause for disciplinary action.

Testing for alcohol must be done within eight hours of the time of the accident. Testing for controlled substances must be done within 32 hours of the time of the accident.

The driver subject to post-accident testing must refrain from consuming alcohol for either eight hours following the accident or until he or she submits to an alcohol test, whichever comes first. Failure to do so will constitute a positive test result and will be determined as cause for disciplinary action.

Opportunity to Contest or Explain Test Results

Employees or job applicants who have a positive confirmed test result may explain or contest the result to the Administrator or his or her designee within five working days after the Administrator or designee contacts the employee or job applicant and shows him or her the positive test result as it was received from the laboratory in writing.

Return to Duty Testing

An employee who has been given the opportunity to undergo rehabilitation for drugs or alcohol shall, as a condition of returning to duty, be required to agree to a reasonable follow-up testing

established by the Administrator or his or her designee. The extent and duration of the follow-up testing will depend upon the safety or security nature of the employee's position and the nature and extent of the employee's substance abuse problem. The Administrator or his or her designee is to review the conditions of continued employment with the employee prior to the employee returning to work. Any such condition for continued employment shall be given to the employee in writing. This agreement must be signed by the employee before the employee is allowed to return to the job. Prior to the employee coming back on the job, the employee must complete a drug and/or alcohol test which shows negative results.

The Administrator or his or her designee may consult with the employee's rehabilitation program in determining an appropriate follow-up testing program, including the frequency of any substance screening contained in a follow-up testing program. In no instance shall such screening be ordered by the Administrator or his or her designee more than one time within a 72-hour period. In the event of positive test results, the Administrator or his or her designee will work out disciplinary procedures, if any, in accordance with Board policy and State law.

Any employee subject to return to duty testing that has a confirmed positive drug test shall be in violation of this policy. Violation of this policy shall constitute grounds for immediate termination in accordance with Board policy and State law.

Inspections

Employees may be assigned Charter School-owned offices, vehicles, lockers, desks, cabinets, etc. for the mutual convenience of the School and personnel. Employees have no expectation of privacy in any of these locations or any personal belongings which they may place in such areas. Whenever the Board reasonably suspects that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or drugs or that an employee has sold, purchased, used, or possessed alcohol, drugs, or drug paraphernalia on Charter School premises, the Board may search the employee and the employee's locker, desk, or other School property under the control of the employee.

Inspections under this policy are limited to investigations into work-related misconduct and offenses. Any searches for law enforcement purposes must comply with all applicable State laws.

Charter School Action upon Violation of Policy

Employees in violation of the provisions of this policy shall be subject to disciplinary action up to and including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse employee-assistance rehabilitation program. The fact that an employee has been referred for assistance and his or her willingness or ability to rehabilitate are appropriate considerations as to what, if any, disciplinary action may be taken.

Should the Charter School employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the Administrator or his or her designee shall notify the appropriate State or federal agency from which the School

receives contract or grant moneys of the employee's conviction, within ten days after receiving notice of the conviction.

In determining whether and to what extent an employee will be disciplined or discharged in regard to violating this policy, the Board will consider the following factors: the degree to which the nature of the criminal offense reduces the Charter School's ability to maintain a safe working environment; the degree to which the nature of the criminal offense unreasonably endangers the safety of other employees and/or students; the degree to which the conviction unreasonably undermines the public confidence in the School's operations; the nature of the criminal offense; the nature of the employee's job with the School; the existence of any explanatory or mitigating facts or circumstances; whether the employee promptly reports the conviction; and any other facts relevant to the employee, including but not limited to years of service and record of performance with the Charter School.

An employee can be discharged for work-related misconduct as provided in I.C. 72-1366, for the following reasons:

1. A confirmed positive drug and/or alcohol test, with a test result of not less than .02 BAC;
2. The employee refusing to provide a sample for testing purposes;
3. The employee altering or attempting to alter a test sample by adding a foreign substance; or
4. The employee submitting a sample that is not his or her own.

Within 30 days after receiving notice of a conviction, the Charter School will take appropriate disciplinary action and/or refer the employee to an appropriate substance abuse rehabilitation program.

Legal References:	41 U.S.C. § 81 29 C.F.R. § 94.205 34 C.F.R. Subpart B I.C. § 33-5211 I.C. § 72-1366 I.C. § 72-1701, et seq. IDAPA 08.02.04.300	The Drug-Free Workplace Act of 1988 What must I include in my drug-free workplace statement? Requirements for Recipients Other Than Individuals Application of School Law - Accountability Exception from State Rules Employment Security Law - Personal Eligibility Conditions Idaho Employer Alcohol and Drug-Free Workplace Act Public Charter School Responsibilities.
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Policy History:

Adopted on: January 21, 2020

Revised on:

Hayden Canyon Charter School

5330 Employee Electronic Mail and On-Line Services Usage

Electronic mail ("e-mail") is defined as a communications tool whereby electronic messages are prepared, sent and retrieved on personal computers. On-line services (i.e., the Internet) are defined as a communications tool whereby information, reference material and messages are sent and retrieved electronically on personal computers.

Because of the unique nature of e-mail/Internet, and because of the Charter School's desire to protect its interest with regard to its electronic records, the following rules have been established to address e-mail/Internet usage by all employees:

The Charter School e-mail and Internet systems are intended to be used for educational purposes only. No Charter School employee may use the Charter School's e-mail or Internet systems for the promotion of election or political campaigns, issues dealing with private or charitable organizations or foundations or ballot issues, however, use for other informal or personal purposes is permissible within reasonable limits. All e-mail/Internet records are considered Charter School records and should be transmitted only to individuals who have a need to receive them. Additionally, Charter School records, e-mail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process. Consequently, employees should always ensure that the educational information contained in e-mail/Internet messages is accurate, appropriate and lawful. E-mail/Internet messages by employees may not necessarily reflect the views of the Charter School. Abuse of the e-mail or Internet systems, through excessive personal use, or use in violation of the law or Charter School policies, will result in disciplinary action, up to and including termination of employment.

While the Charter School does not intend to regularly review employees' e-mail/Internet records, employees have no right or expectation of privacy in e-mail or the Internet. The Charter School owns the computer and software making up the e-mail and Internet system and permits employees to use them in the performance of their duties for the Charter School. E-mail messages and Internet records are to be treated like shared paper files, with the expectation that anything in them is available for review by the Administrator.

Cross Reference: 5290 Political Activity-Staff Participation

Legal Reference: Idaho Constitution Article III, Section I
Idaho Attorney General Opinion No. 95-07

Policy History

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5330F Employee Electronic Mail and On-Line Services Use Policy

Acknowledgment

I have read and been informed about the content, procedures, and expectations of the Employee Electronic Mail and On-Line Services Use Policy. I have received a copy of the policy and agree to abide by the guidelines as a condition of employment and continuing employment by the Charter School.

Employee Signature

Employee Printed Name

Date

Form History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5335 Employee Use of Electronic Communications Devices

The Board recognizes that employees may carry electronic communications devices either Charter School-issued or personally owned and hereby adopts this policy.

School-Issued Communications Devices

Communication devices issued by the Charter School may include, for example, cellular telephones, walkie-talkies, personal digital assistants (PDA's) or laptop computers with "beaming capabilities," citizens band radios, either installed in vehicles or hand-held, and pagers/beepers.

Employees in receipt of School-issued equipment shall be held responsible for the safekeeping of the equipment and exercise reasonable efforts to see that the equipment is not lost, stolen, or damaged. Reckless or irresponsible use of Charter School equipment, resulting in loss or damage may result in the employee having to reimburse the Charter School for any associated costs of replacement or repair.

Any such devices issued shall be with the expectation that they are to be used, almost exclusively, for Charter School-related business purposes and are not intended for personal use except in emergencies involving employee health or safety.

Charter School-issued equipment shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.

Any Charter School-issued equipment is to be surrendered back to the Charter School immediately upon request.

Personally-Owned Communications Devices

Employees may carry and use personally-owned cellular telephones, pagers/beepers, and PDA's or laptops with "beaming capabilities" during the school day on school property.

Personally owned hand-held citizens band radios, portable police scanners, and long or shortrange walkie-talkies should not be used or carried by employees on school property during the school day unless by specific permission of their immediate supervisor based on a personal health or safety need.

Cellular telephones and pagers/beepers should not be used during the employee's normal duty times to send/receive messages of a personal nature, but such use is allowable during normal break times, lunch times, and preparation times. Use of cellular telephones or audible pagers/beepers should be curtailed during instructional time or at school-sponsored programs,

meetings, in-services, parent/guardian conferences, or any other time when there would be a reasonable expectation of quiet attentiveness.

Any employee violating the above rules may be subject to disciplinary action.

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5340 Evaluation of Certificated Personnel

The Charter School has a firm commitment to performance evaluation of Charter School personnel, whatever their category and level, through the medium of a formalized system. The primary purpose of such evaluation is to assist personnel in professional development, in achieving Charter School goals, and to assist with decisions regarding personnel actions. This policy applies to all certificated personnel, both pupil instructional personnel and noninstructional personnel. The Administrator shall differentiate for certificated non-instructional employees and pupil personnel certificate holders in a way that aligns with the Charlotte Danielson Framework for Teaching Second Edition to the extent possible and aligned to the pupil service staffs applicable national standards

Each certificated staff member shall receive at least one (1) written evaluation to be completed by no later than May 1 for each annual contract year of employment and shall use multiple measures that are research based and aligned to the Charlotte Danielson Framework for Teaching Second Edition. The evaluation of certificated personnel shall annually include a minimum of two (2) documented observations, one (1) of which shall be completed prior to January 1st.

Objectives

The formal performance evaluation system is designed to:

1. Maintain or improve each employee's job satisfaction and morale by letting him or her know that the supervisor is interested in his or her job progress and personal development;
2. Serve as a systematic guide for supervisors in planning each employee's further training;
3. Assure considered opinion of an employee's performance and focus maximum attention on achievement of assigned duties;
4. Assist in determining and recording special talents, skills, and capabilities that might otherwise not be noticed or recognized;
5. Assist in planning personnel moves and placements that will best utilize each employee's capabilities;
6. Provide an opportunity for each employee to discuss job problems and interests with his or her supervisor; and
7. Assemble substantiating data for use as a guide, although not necessarily the sole governing factor, for such purposes as wage adjustments, promotions, disciplinary action, and termination.

Responsibility

The Administrator or his or her designee shall have the overall responsibility for the administration and monitoring of the Performance Evaluation Program and will ensure the fairness and efficiency of its execution, including:

1. Distributing proper evaluation forms in a timely manner;
2. Ensuring completed evaluations are returned for filing by a specified date;
3. Reviewing evaluations for completeness;
4. Identifying discrepancies;
5. Ensuring proper safeguards and filing of completed evaluations;
6. Creating and implementing a plan for ongoing training for evaluators and certificated personnel on the Charter School's evaluation standards, forms, and processes and a plan for collecting and using data gathered from evaluations;
7. Creating a plan for including all stakeholders including but not limited to, teachers, board members, administrators, and parents in the development and ongoing review of their teacher evaluation plan;
8. Creating a procedure for remediation for employees that receive evaluations indicating that remediation would be an appropriate course of action; and
9. Creating an individualized evaluation rating system for how evaluations will be used to identify proficiency and record growth over time with a minimum of three (3) rankings used to differentiate performance of certificate holders including: unsatisfactory being equal to a rating of 1; basic being equal to a rating of 2; proficient being equal to a rating of 3; distinguished being equal to a rating of 4.

The Immediate Supervisor is the employee's evaluator and is responsible for:

1. Continuously observing and evaluating an employee's job performance including a minimum of two (2) documented observations annually for certificated personnel, one (1) of which shall be completed prior to January 1st of each year;
2. Holding periodic counseling sessions with each employee to discuss job performance;
3. Completing Performance Evaluations as required; and
4. Completing training on the Charter School's Performance Evaluation Program.

Written Evaluation

A written evaluation will be completed for each certificated and noncertificated employee. A copy will be given to the employee. The original will be retained by the Immediate Supervisor. The evaluation should be reviewed annually and revised as necessary to indicate any significant changes in duties or responsibilities. The evaluation is designed to increase planning and relate performance to assigned responsibilities through joint understanding between the evaluator and the employee as to the job description and major performance objectives.

The written evaluation will identify the sources of data used in conducting the evaluation. Aggregate data shall be considered as part of the Charter School and individual school needs assessment in determining professional development offerings.

Evaluation Measures

Periodic classroom observations will be included in the evaluation process with a minimum of two (2) documented observations annually for certificated personnel, one (1) of which shall be completed prior to January 1st.

Sixty-seven percent (67%) of the evaluation of certificated personnel will be comprised of Professional Practice based on the Charlotte Danielson Framework for Teaching Second Edition.

The evaluation will include at least one (1) of the following as a measure to inform the Professional Practice portion: input received from parents or guardians, input received from students, and/or portfolios. The Charter School has chosen input from parents or guardians as its measure(s) to inform the Professional Practice portion. The Board shall determine the manner and weight of parental input, student input, and/or portfolios on the evaluation.

Thirty-three percent (33%) of the evaluation of certificated personnel will be based on multiple objective measures of growth in student achievement. The evaluation may be calculated using current and/or the immediate past year's data and may use one (1) year or both years' data. One measure of growth in student achievement shall be Idaho's statewide assessment for federal accountability purposes. The evaluation will also include at least one additional objective measure of growth in student achievement, based on research, as determined by the Board. The Board has chosen easy CBM benchmark assessments as its additional measure(s) of growth in student achievement. This portion of the evaluation may be calculated using current and/or past year's data and may use one (1) or multiple years of data.

The evaluation will be aligned with minimum State standards and based upon the Charlotte Danielson Framework for Teaching Second Edition and will include, at a minimum, the following general criteria upon which the Professional Practice portion will be based:

1. Planning and Preparation

- A. Demonstrating Knowledge of Content and Pedagogy;
- B. Demonstrating Knowledge of Students;
- C. Setting Instructional Outcomes;
- D. Demonstrating Knowledge of Resources;
- E. Designing Coherent Instruction; and
- F. Designing Student Assessments.

2. Classroom Learning Environment

- A. Creating an Environment of Respect and Rapport;
- B. Establishing a Culture for Learning;
- C. Managing Classroom Procedures;
- D. Managing Student Behavior; and
- E. Organizing Physical Space.

3. Instruction and Use of Assessment

- A. Communicating with Students;
- B. Using Questioning and Discussion Techniques;
- C. Engaging Students in Learning;
- D. Using Assessment in Instruction; and

E. Demonstrating Flexibility and Responsiveness.

4. Professional Responsibilities

- A. Reflecting on Teaching;
- B. Maintaining Accurate Records;
- C. Communicating with Families;
- D. Participating in a Professional Community;
- E. Growing and Developing Professionally; and
- F. Showing Professionalism.

Meeting with the Employee

Counseling Sessions: Counseling sessions between supervisors and employees may be scheduled periodically. During these sessions, an open dialogue should occur which allows the exchange of performance oriented information. The employee should be informed of how he or she has performed to date. If the employee is not meeting performance expectations, the employee should be informed of the steps necessary to improve performance to the desired level. Counseling sessions should include, but not be limited to, the following: job responsibilities, performance of duties, and attendance. A memorandum for record will be prepared following each counseling session and maintained by the supervisor.

Communication of Results: Each evaluation shall include a meeting with the affected employee to communicate evaluation results. At the scheduled meeting with the employee, the supervisor will:

1. Discuss the evaluation with the employee, emphasizing strong and weak points in job performance. Commend the employee for a job well done if applicable and discuss specific corrective action if warranted. Set mutual goals for the employee to reach before the next performance evaluation. Recommendations should specifically state methods to correct weaknesses and/or prepare the employee for future promotions.
2. Allow the employee to make any written comments he or she desires. Inform the employee that he or she may turn in a written rebuttal/appeal of any portion of the evaluation within seven (7) days and outline the process for rebuttal/appeal. Have the employee sign the evaluation indicating that he or she has been given a copy and initial after supervisor's comments.

No earlier than seven (7) days following the meeting, if the supervisor has not received any written rebuttal/appeal, the supervisor will forward the original evaluation in a sealed envelope, marked "Personnel-Evaluation" to the Administrator, or the designee, for review. The supervisor will also retain a copy of the completed form.

Rebuttals/Appeal

Within seven (7) days from the date of the evaluation meeting with their supervisor the employee may file a written rebuttal/appeal of any portion of the evaluation. The written

rebuttal/appeal shall state the specific content of the evaluation with which the employee disagrees, a statement of the reason(s) for disagreement, and the amendment to the evaluation requested.

If a written rebuttal/appeal is received by the supervisor within seven (7) days, the supervisor may conduct additional meetings or investigative activities necessary to address the rebuttal/appeal. Subsequent to these activities, and within a period of ten (10) working days, the supervisor may provide the employee with a written response either amending the evaluation as requested by the employee or stating the reason(s) why the supervisor will not be amending the evaluation as requested.

If the supervisor chooses to amend the evaluation as requested by the employee then the amended copy of the evaluation will be provided to, and signed by, the employee. The original amended evaluation will then be forwarded to the Administrator, or the designee, for review in a sealed envelope, marked Personnel-Evaluation. The supervisor will also retain a copy of the completed form.

If the supervisor chooses not to amend the evaluation as requested by the employee then the evaluation along with the written rebuttal/appeal, and the supervisor's response, if any, will be forwarded to the Administrator, or the designee, for review in a sealed envelope, marked Personnel Evaluation. The supervisor will also retain a copy of the completed evaluation including any rebuttal/appeal and responses.

Action

Each evaluation will include identification of the actions, if any, available to the Charter School as a result of the evaluation as well as the procedure(s) for implementing each action. Available actions include, but are not limited to, recommendations for renewal of employment, nonrenewal of employment, probation, and others as determined. Should any action be taken as a result of an evaluation to not renew an individual's contract the Charter School will comply with the requirements and procedures established by State law.

Records

Permanent records of each certificated personnel's evaluation and any properly submitted rebuttal/appeal documentation will be maintained in the employee's personnel file. All evaluation records, including rebuttal/appeal documentation, will be kept confidential within the parameters identified in State and federal law regarding the right to privacy.

Reporting

The Charter School shall submit an evaluation plan to the State Department of Education for approval. Any subsequent changes to the Charter School's evaluation plan shall be resubmitted to the State Department of Education for approval. The Charter School shall report the rankings of individual certificated personnel evaluations annually to the State Department of Education.

Legal Reference: I.C. 33-514 Issuance of Annual Contracts — Support Programs —
Categories of Contracts — Optional Placement —
Written Evaluation
I.C. 33-515 Issuance of Renewable Contracts
I.C. 33-518 Employee Personnel Files
IDAPA 08.02.02.120 Local Charter School Evaluation Policy

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5350 Certified Personnel Resignation Release from Contract

Applicants for teaching positions with Hayden Canyon Charter School who are issued a contract and employees who are on contract should recognize that their contract with the Charter School carries responsibilities. Certified personnel will generally be expected to fulfill the terms of their contract unless (1) there are clearly compelling, mitigating circumstances which prevent the certified or exempt individual from doing so; and (2) until such time as the Board releases the certified individual from the terms of the contract upon the recommendation of the Administrator.

Employees (including those employees who have just signed their first contract) will not be released from contract during the school year or within forty-five (45) days of the start of the school year unless a suitable replacement can be found. The Board may make exceptions to this rule for serious health problems or if a replacement can be found to fill the position being vacated.

The Employee may make a written request for release from contract during the school year or immediately prior to the start of the school year, stating the date of requested release. The request should be submitted to the Charter School offices so that a search for a suitable replacement can be initiated. The request for release will be submitted to the Board at the time specified by the employee. If finding a replacement is not imminent, the Charter School offices will advise the person submitting the request that the administration will recommend to the Board that the request be denied. The Charter School offices will also give the person making the request the opportunity to hold the request until finding a suitable replacement is imminent at which time the resignation would then be submitted to the Board. (If no time is specified for the request to be submitted to the Board, it will be submitted when the administration feels that finding a suitable replacement is imminent. The person making the request will be advised of that action.)

A determination of availability of a suitable replacement, will be made and approved by the Administrator as per Idaho Code, before recommendation will be made to the Board that the employee be released from contract. If, in the judgment of the Administrator, there is not a suitable replacement, and/or if retention of a new employee is not approved by the Administrator, recommendation will be made that the Board NOT release the employee from contract.

Should any certificated employee abandon the contract of employment with the Charter School without the prior written release from the contract by the Board, the Board of trustees will report such event to the Professional Standards Commission, alleging that the certificated employee is guilty of unethical practices and has violated the Code of Ethics for Idaho Professional Educators.

In addition, should any certificated employee abandon the contract of employment with the Charter School without the prior written release from the contract by the Board, the Charter School and/or Board may, in its discretion, pursue any and all available legal remedies, including damages to recoup all losses caused by such breach of contract, including without limitation costs for substitutes, recruiting, loss of state funding, legal fees, etc.

Classified Personnel

Classified Employees not under contract are expected to give due written notice that will permit the Charter School to conduct a search for a suitable replacement. Generally speaking, the Board expects a two-week notice.

All resignations should be in writing. Requests for resignation shall be transmitted to the Board as part of the regular personnel report.

Any classified personnel who, without approval or without taking leave, does not show up for work for more than 3 consecutive business days will be considered, at the discretion of the Administrator and/or Board to have abandoned his or her position, and shall be deemed to have resigned.

Legal Reference	I.C. 33-524	Principals to Determine New Staffing
	I.D.A.P.A. 08-02.02.076.09	Code of Ethics for Idaho Professional Educators
	I.C. 72-1366	Personal Eligibility Conditions

Policy History:

Adopted on: March 14, 2019

Revised _____ and _____ Adopted _____ on: _____

Hayden Canyon Charter School

5360 Dress and Appearance

As professionals in our schools, we realize and value the public's perception of our roles as mentors and models for students. We, therefore, set in policy the following outline of "reasonable expectations" for all professional staff.

The following dress code will apply to all teachers, counselors, aides, secretaries, and administrators throughout the Charter School. It is to be applied for all of the days students are present, parent-teacher conferences, and professional development days.

DRESSING UP IS ENCOURAGED

The following is considered an outline of acceptable dress, unless otherwise specified by the Administrator:

Males

- Pinpoint or button-down dress shirts
- Knit shirts (not T-shirts)
- Slacks or khakis/Docker-type slacks
- Dress shoes, boots, athletic shoes, casual shoes
- Socks
- Neckties
- Business suit
- Sport coat or sweater
- Holiday, theme, or school sweatshirts
- Blue jeans on activity days (spirit day, special classroom activities, field day) ●
- Wind suits/sweat suits on spirit or activity days

Females

- Business suit
- Jumpers, dresses, skirts (appropriate fit and length) (Denim/Chambray fabric acceptable)
- Slacks or khaki/Dockers-type slacks
- Dress shoes, casual shoes, boots, athletic shoes
- Blouses, knit shirts, cotton shirts, sweaters (moderate neckline)
- Holiday, theme, or school sweatshirts
- Dress shorts/skirts of appropriate professional fit and length
- Knit dress pants with tunic length top
- Dress "crop slacks" that are loose fitting
- Blue jeans on activity days (spirit day, special classroom activities, field day)
- Wind suits/sweat suits on spirit or activity days

Inappropriate/Unacceptable Attire

- Backless, see-through, tight fitting, or low-cut blouses/tops/dresses
- T-shirts, lycra, spandex, midriff tops, tank tops, muscle shirts
- Cut-off/Jeans shorts
- Sweatpants
- Coaching shorts, spandex (shorts or pants) of any length
- Blue Jeans
- Mini-skirts
- Jogging suits
- Denim overalls
- Apparel with offensive logos

EXCEPTIONS

- Gym Teachers: Gym clothing appropriate to activity, shorts restricted to gym or outside PE areas.
- Field Trips/Field Days: Modest, appropriate to activity.
- Special Days: Holiday clothing/school spirit/thematic clothing with Administrator's permission.
- The Administrator may grant exceptions based on job-related needs.

Any casual dress or accessories not stated above must at all times meet or exceed standards set for our students in each of their respective schools.

ENFORCEMENT

Charter School staff members who do not, in the judgment of the Administrator/Supervisor, reasonably conform to this dress code shall receive a written notice from the Administrator/Supervisor. The Administrator/Supervisor shall submit a copy of the notice to the Administrator. Repeated violations could result in disciplinary action by the Administrator against the staff member. In cases where a staff member refuses to comply with the directions of the Administrator/ Supervisor, the staff member's employment could be terminated. The decision of the Administrator is final regarding administration of this policy.

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5380 Employee Drug and Alcohol Use

It is the policy of Hayden Canyon Charter that the unlawful manufacture, distribution, dispersing, possession or use of alcohol or illegal drugs is prohibited on properties owned by the school district and at student sponsored activities. Compliance with this policy is mandatory as a condition of employment with the school district. This policy will be consistently enforced.

This policy will be distributed to all employees on an annual basis and will include resources, definitions, effects, and dangers of drugs and alcohol.

VIOLATIONS OF CRIMINAL DRUG STATUTES/CONVICTIONS:

As required by Federal law, employees must notify his/her immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

Employees who are convicted under any criminal drug statute for a violation not occurring in the workplace are also subject to disciplinary action, up to and including dismissal.

This policy complies with the requirements of the drug free schools and communities certification requirements.

Legal Reference: I.C. 33-513, 33-517, 33-1208, 37-2701

Policy History:

Adopted on: October 9, 2019

Revised on:

Hayden Canyon Charter School

5380P Employee Drug and Alcohol Use

In keeping with Hayden Canyon Charter's commitment to provide a drug-free workplace for its employees, the school will require an employee to be tested for the use of alcohol or drugs if an employee's physical appearance or pattern of behavior give school officials specific reason to believe that the employee may be under the influence of alcohol or drugs and, therefore, may endanger their own well-being, the safety of fellow workers or students, the general public, or school property. This specific reason must be in writing from the employee's supervisor within 24 hours. If a violation has taken place, disciplinary action against the offending employee will follow. Appropriate action may include termination of employment.

The basis of suspicion indicating drug or alcohol impairment may be a specific, contemporaneous event or conduct evidencing impairment observed over a period of time. In any event, a written allegation will be made no later than 24 hours and submitted to the Administrator. If the suspicion is substantiated, all pertinent documentation will be placed in his/her personnel file. The school will make arrangements to insure that all workers who are requested to take a reasonable cause test will be transported to a collection clinic to take a drug or alcohol test.

Decisions associated with retention of an offending employee shall include satisfactory participation in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency. The employee may be placed on probation and required to take one or more drug tests upon the supervisor's request. Failure to immediately comply with the supervisor's request is grounds for immediate termination.

Employees will not be terminated from employment for voluntarily seeking assistance for a substance abuse problem; however, continued performance, attendance, or behavioral problems may result in termination. The employee may be placed on probation and required to take drug tests upon the supervisor's request. Failure to immediately comply with the supervisor's request is grounds for immediate termination.

Any employee who is made aware of or suspects a prohibited incident is taking place has a responsibility to report the matter to the supervisor. The matter will not be discussed with co-workers or persons not directly responsible for investigating the incident.

Definitions

Illegal Drug Use: The use, possession or distribution of illegal drugs, or the abusive use of other drugs, or the use or being under the influence of alcohol on any school premises or at any school activity when students are present.

Illegal Drugs: Any controlled substances defined by Idaho Code Section 37-2701 et. seq., or any other substance which is used to alter or change the mood of an individual, or anabolic

steroids. An illegal drug does not include over the counter drugs or prescriptions for the person in possession of the drug when prescribed by the person's doctor or dentist.

Under the Influence: This definition covers not only all well-known and easily recognized conditions and degrees of intoxication but any abnormal mental or physical condition which is the result of indulging to any degree in alcohol or illegal drugs, and which tends to deprive one of that clearness of intellect and control of himself or herself which he or she would otherwise possess.

Alcohol: Any alcoholic beverage as defined by Idaho Code Sections 23-105 and 23-1001.

Unlawful Alcohol Use: Being under the influence, using, possession or distribution of alcohol on any school premises or at any school activity when students are present.

Violations: The commission of an act of illegal drug use or unlawful alcohol use by an employee.

Disciplinary Action

1. Any certificated or non-certificated employee who violates the terms of Hayden Canyon Charter's drug and alcohol policy may be discharged, and not re-employed, and/or may be placed on probation at the discretion of the Board.
2. Procedures set forth in Idaho Code Section 33-513 (certificated personnel) and Section 33-517 (non-certificated personnel) will be followed. All employees must notify their supervisors in writing of any conviction under any criminal drug/alcohol statute within five (5) calendar days after such conviction.
3. Notwithstanding the above paragraph, a bus driver will be suspended from all duties pending investigation when reasonable suspicion exists that the driver may be under the influence of illegal drugs or alcohol. If a bus driver is found to have violated this policy, he or she will be immediately terminated from employment and the incident will be reported to the State Department of Education. A recommendation for license revocation will be made to the Idaho Department of Transportation.
4. If reasonable suspicion exists that federal, state or local laws have been violated the school will notify the appropriate law enforcement agencies.

Policy History:

Adopted on: October 9, 2019

Revised on:

Hayden Canyon Charter School

5400 Leaves of Absence

Leaves of Absence

The Board of Directors has the authority to grant any employee's request for a leave of absence. The Board may also delegate this authority to a designee. If the Board delegates this authority it shall ratify or nullify the action regarding the request for a leave of absence at the next regularly scheduled meeting or at a special meeting should the next regularly scheduled board meeting not be within a period of twenty-one (21) days from the date of such action.

Sick Leave

Classified employees who regularly work twenty (20) hours or more per week and certificated employees who work half time or more per week shall be granted sick leave and other leaves in accordance with State law. Each such employee shall be granted sick leave with full pay of one (1) day as projected for the employment year for each month of service in which he or she works a majority portion of that month. Sick leave for classified employees shall be calculated proportionate to the average hours worked per day. Sick leave for certificated employees shall be calculated by the day, or percentage thereof, as defined in his or her individual employment contract. The Charter School, may in its discretion, require proof of illness when deemed appropriate, including but not limited to cases of suspected abuse of sick leave or false claims of illness.

Compensation shall not be provided for unused sick leave.

"Sick leave" means a leave of absence, with pay, for a sickness suffered by an employee or his or her immediate family. "Immediate family" for purposes of sick leave shall mean the employee's spouse and children residing in the employee's household. Nothing in this policy guarantees approval of the granting of such leave in any instance. Each request will be judged by the Charter School in accordance with this policy and the needs of the Charter School.

It is understood that seniority shall accumulate while a teacher or employee is utilizing accumulated sick leave credits. Seniority will not accumulate unless an employee is in a paid status. Abuse of sick leave is cause for discipline up to and including termination.

Accrual of Unused Sick Leave

Employees may accrue unused sick leave. Upon retirement, an employee's accumulated unused sick leave must be reported by the Charter School to the public employee retirement system.

Bereavement Leave

An employee who has a death in the immediate family shall be eligible for bereavement leave. "Immediate family" for purposes of bereavement leave shall mean Parent, Spouse, Child, or

live in family member within the same household. The Administrator shall have the authority to give bereavement leave for up to five (5) days. Bereavement leave of greater than five (5) days must be approved by the Board. Such leave shall not exceed ten (10) days.

Personal and Emergency Leave

Upon recommendation of the Administrator, and in accordance with law and Charter School policy, classified staff may be granted personal leave pursuant to the following conditions:

1. Leave will be without pay unless otherwise stated. If leaves are to include expenses payable by the Charter School, the leave approval will so state;
2. Leave will only be granted in units of half or full days.
3. Notice of at least one (1) week is required for any personal leave of less than one (1) week. Notice of one (1) month is required for any personal leave exceeding one (1) week.
4. The Administrator, with approval of the Board, shall have the flexibility, in unusual or exceptional circumstances, to grant personal leave to employees not covered by sick or any other Charter School recognized leave. During any personal leave of greater than fifteen (15) days, the employee will not receive fringe benefits. During the leave, the employee may pay the Charter School's share of any insurance benefit program in order to maintain those benefits, provided that such is acceptable to the insurance carrier. Staff using personal leave shall not earn any sick leave or annual leave credit or any other benefits during the approved leave of absence.

Legal Reference: 42 USC 2000(e)

I.C. 33-513

I.C. 33-1216 et seq.

I.C. 33-1228

Equal Employment Opportunities

Professional Personnel

Sick and Other Leave

Severance Allowance at Retirement

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5410 Family and Medical Leave

In accordance with the provisions of the Family Medical Leave Act of 1993, a leave of absence of up to twelve (12) weeks during a twelve-(12)-month period may be granted to an eligible employee for the following reasons:

1. The birth of a child;
2. The placement of a child for adoption or foster care with the employee;
3. Because of a serious health condition that makes the employee unable to perform the functions of the job;
4. To care for the employee's spouse, child, or parent with a serious health condition;
or
5. For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty status, or has been notified of an impending call to active duty status, in the Armed Forces.

An employee is eligible to take FMLA leave if the employee has been employed for at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) months immediately prior to the date when the leave is requested. Further, an employee may only be eligible if there have been at least fifty (50) Charter School employees within a seventy-five (75) mile radius.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to twenty-six (26) weeks of leave in a single twelve (12) month period to care for the service member.

Serious Health Condition

“Serious health condition: means an illness, injury, impairment, or physical or mental condition that involves:

1. any period of incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical care facility and any period of incapacity or subsequent treatment in connection with such inpatient care; or
2. any period of incapacity requiring absence of more than three consecutive days from work or other regular daily activities that involves continuing treatment by a health care provider; or
3. continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or is so serious that if not treated would likely result in a period of incapacity for more than three days; or
4. pregnancy or prenatal care - a visit to the health care provider is not necessary for each absence; or
5. a chronic serious health condition which continues over an extended period of time requiring periodic visits to a health care provider and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or

6. a permanent condition for which treatment may not be effective (e.g. Alzheimer's, severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated.

Maintaining Health Benefits

The School will maintain group health insurance coverage for an employee on FMLA leave. If applicable, arrangements will be made for the employee to pay their share of the health insurance premiums while on leave. The School may recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from FMLA leave.

Notice and Certification

1. Employees seeking to use FMLA leave are required to provide 30 day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable.
2. Medical certification supporting the need for leave due to serious health conditions affecting the employee or an immediate family member may be requested by the School. The School may also request periodic recertification along with periodic reports during FMLA leave regarding the employee's status and intent to return to work.
3. Employees returning from medical leave caused by their own illness may be required to obtain medical certification from a health care provider that they are able to resume work.

Employees will be required to use appropriate paid leave while on FMLA Leave. Workers Compensation absences will be designated FMLA Leave.

The Board of Directors has determined that the twelve-(12)-month period during which an employee may take FMLA leave is July 1 to June 30.

Legal Reference: Legal References: Pub. L. 103-3 Family Medical Leave Act of 1993 (FLMA) Pub. L. 110-181 National Defense Authorization Act (NDAA) for FY 2008
29 C.F.R. Part 825 Implementing the Family Medical Leave Act of 1993

NOTE: The FMLA applies to all School Charter Schools as they are public agencies, and therefore covered employees under the act.

Policy History:

Adopted on:4/6/2022

Revised on:

Hayden Canyon Charter School

5412 Jury Duty

Jury duty leave is not paid for by the Charter School.

Serving on a jury is a fundamental responsibility of citizenship, and the Charter School supports this important role in our society. Upon receipt of the initial, official notification, an employee selected for jury duty must submit a copy of such notice to the Administrator or immediate supervisor as soon as possible so that appropriate substitute needs can be met. If the absence would pose a significant hardship for the Charter School, the employee may be asked to request a postponement of jury duty from the court.

Upon being excused from jury service during any day, an employee shall return to complete his/her assignment for the remainder of the regular work day.

Policy History

Adopted on: March 14, 2019

Revised _____ and _____ Adopted _____ on:

Hayden Canyon Charter School

5413 Witness for Court Appearance Leave

Hayden Canyon Charter School does not pay for witness court appearance leave.

Policy History ...

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5420 Long-Term Illness/Temporary Disability

Employees may use sick leave for long-term illness or temporary disability, and upon the expiration of sick leave and family medical leave, the Board may grant eligible employees leave without pay if requested. Medical certification of the long-term illness or temporary disability shall be required.

Long-term illness or temporary disability shall be construed to include pregnancy, miscarriage, childbirth and recovery therefrom.

Leave without pay arising out of any long-term illness or temporary disability, including pregnancy, miscarriage, childbirth and recovery therefrom, shall commence only after sick leave and family medical leave has been exhausted.

Cross Reference: 5410 — 5410P Family Medical Leave

Legal Reference: 29 CFR 825, 29 USC 2601, et seq.

Family Medical Leave Act — National Defense Authorization Act for FY
2008 (NDAA), Pub. L. 110-181

29 CFR 1604.10 Pregnancy Discrimination Act Employment Policies
Relating to Pregnancy and Childbirth

Policy History:

Adopted on: March 14, 2019

Revised:

Hayden Canyon Charter School

5420P Long-Term Illness or Temporary Disability

The following procedures will be used when an employee has a long-term illness or temporary disability.

1. When any illness or temporarily disabling condition is "prolonged", an employee will be asked by the administration to produce a written statement from a physician stating that the employee is temporarily disabled and is unable to perform the duties of his/her position, but at some point in the future will be able to return to work.
2. In the case of any other extended illness, procedures for assessing the probable duration of the temporary disability will vary. The number of days of disability will vary according to different conditions, individual needs and the assessment of individual physicians. Normally, however, the employee should expect to return on the date indicated by the physician unless complications develop which are further certified by a physician.
3. Maternity leave will be treated as any other disability. As a disabling condition, maternity leave is not available to fathers.

Cross Reference: 5410 — 5410P Family Medical Leave

Legal Reference: 29 CFR 825, 29 USC 2601, et seq.

Family Medical Leave Act — National Defense Authorization Act for FY 2008 (NDAA), Pub. L. 110-181

29 CFR 1604.10 Pregnancy Discrimination Act Employment Policies Relating to Pregnancy and Childbirth

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5440 School Holidays

The Charter School designates the following days as school holidays.

1. New Year's Day;
2. Memorial Day;
3. Labor Day;
4. Thanksgiving Day;
5. Christmas Day.
6. President's Day;

In those cases where an employee, as defined above, is required to work any of these holidays, another day shall be granted in lieu of such holiday unless the employee elects to be paid for the holiday in addition to the employee's regular rate of pay for all time worked on the holiday.

If a holiday occurs during the period in which vacation is being taken by an employee, the holiday shall not be charged against the employee's annual leave.

Legal Reference: I.C. 33-512
I.C. 73-108

Governance of schools
Holidays enumerated

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5460 Workers' Compensation Benefits

All employees and volunteers of the Charter School are covered by Workers' Compensation benefits pursuant to, and in accordance with, the terms of the Charter School's Worker's Compensation insurance policy. In the event of an injury or accident:

1. The injured employee shall immediately obtain first aid or emergency medical care as necessary to stabilize their medical condition. This treatment shall, to the extent possible, be in accordance with the requirements of the Charter School's Worker's Compensation insurance policy.
2. Absent the need for emergency medical care, all school employees who require medical attention in the event of a workplace injury should obtain medical attention at the Charter School's Designated Occupational Health Clinics: Kootenai Medical Center
3. The injured employee shall promptly report the accident and injury to his or her immediate supervisor.
4. The employee shall, if possible, immediately remediate the hazardous condition. If immediate remediation is not possible, the employee shall report the hazardous condition so it can be remediated as soon as possible.
5. The employee shall complete the Charter School's Worker's Compensation report of injury forms with the Charter School's Human Resources Department within forty-eight (48) hours of the accident (unless prohibited by the employee's medical condition, in which case the forms shall be completed as soon as the employee's medical condition reasonably allows).
6. On behalf of the employee, the Charter School's Human Resources Department shall immediately report the injury and claim to the Charter School's Worker's Compensation carrier to coordinate income, medical, and other benefits available to the employee under Idaho's Worker's Compensation Law.
7. In the event the employee is unable to work, the Charter School shall allow the employee to take available sick leave benefits until the date that Worker's Compensation income benefits are made available to the employee under the Charter School's Worker's Compensation insurance policy.

The Charter School's Human Resources Department shall notify the immediate supervisor of the report and shall consult with the immediate supervisor when completing the required reports.

An employee who is injured in an industrial accident may be eligible for Workers' Compensation benefits.

Upon receipt of a report of an accident, The Charter School shall conduct an investigation to determine:

1. Whether continuing hazardous conditions exist that require remediation; and

2. Whether the employee's work environment caused or contributed to the reported accident.

The employee is required to cooperate with the Charter School's Worker's Compensation insurance carrier to coordinate and effectuate appropriate medical treatment and to secure other available Worker's Compensation benefits, including but not limited to income benefits.

In all instances where an employee is unable to work as a result of an injury, the employee must obtain a written work release from their treating physician prior to returning to work. This release shall be provided to the employee's immediate supervisor who will make a copy and provide the original to the Human Resources Department for placement in the employee's personnel file.

Legal Reference: I.C. 72-101, et seq.

Workers' Compensation Act

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5500 Personnel Files

The Charter School maintains a complete personnel record for every employee (certificated and classified). Much of the information contained in employee personnel files is confidential and access to such files should be limited to the Administrator, the employee, the employee's designee or representative, and schools requesting information based upon Idaho Code 33-1210.

A log of those persons other than the Administrator or other administrative staff, will be kept indicating the date and time of inspection, name of person requesting access, description of the records copies, if any, and the initials of the person providing the access and/or copies requested.

In accordance with federal law, the Charter School shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school. Access to other information contained in the personnel records of Charter School employees is governed by Policy 4340.

In accordance with state law including Idaho Code 33-1210, not later than twenty (20) days after receiving a request the Charter School shall release information regarding job performance or job related conduct to schools requesting such information for hiring purposes. See Policy 5100 and Procedure 5500P.

The Charter School shall maintain official Charter School files for employees

An employee's official file shall be kept in the administrative office. It shall, at a minimum, the following records:

1. application materials;
2. contracts of employment;
3. communications from the administration;
4. performance evaluations;
5. rebuttals to performance evaluations;
6. parental input materials;
7. written reprimands;
8. original statements/releases to/from hiring school districts;
9. original acknowledgement of receipt of professional liability insurance providers list;
10. a copy of the employee's job description signed by the employee; 11 a signed acknowledgement that the employee has received a copy of the Charter School's sexual harassment policy;

11. a signed acknowledgement that the employee has received a copy of the Charter School's email and internet use policy;
12. documentation of additional training received, course work completed, in-service attended, etc.

The file may contain notes and observations. Letters of recommendation will be kept in a separate, sealed file maintained by the Administrator. Personal notes of supervisors need not be placed in the file, but may be maintained in the supervisor's own file(s).

Each employee will be provided written notice of all materials placed in an employee's personnel file. Notice shall be provided within ten (10) days of placement of information in the employee's file or, if possible, presented to the employee prior to placement in the file. An employee will have the opportunity to attach a rebuttal to any information placed in the employee's personnel file. An employee will have seven (7) days (from the date written notice of placement) to attach a statement or notification of rebuttal.

Upon request, an employee or the employee's designee or representative will have access to the employee's personnel file and will be provided copies, upon request within a reasonable period of time. The request, inspection, and/or copying of the file will be logged indicating the date and time, name of person requesting access, description of the records copied, if any, and the initials of the person providing the access and/or copies requested.

Record Keeping Requirements Under the Fair Labor Standards Act

In addition to the information to be placed in an employee's personnel file set forth hereinabove, any and all payroll information required by the Fair Labor Standards Act shall also be kept for each employee as follows:

1. Records required for ALL employees:
 - a. Name in full (same name as used for Social Security);
 - b. Employee's home address, including zip code;
 - c. Date of birth if under the age of 19;
 - d. Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss);
 - e. Time of day and day of week on which the employee's work week begins; f. Basis on which wages are paid (such as \$5/hour, \$200/week, etc.)
 - f. Any payment made which is not counted as part of the "regular rate"
 - g. Total wages paid each pay period.
2. Additional records required for non-exempt employees:
 - a. Regular hourly rate of pay during any week when overtime is worked
 - b. Hours worked in any work day (consecutive twenty-four-(24)-hour period);
 - c. Hours worked in any work week (or work period in case of 207 [k]);
 - d. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week, but excluding premium pay for overtime);
 - e. Total overtime premium pay for a work week;
 - f. Date of payment and the pay period covered;
 - g. Total deductions from or additions to wages each pay period;

- h. Itemization of dates, amounts and reason for the deduction or addition, maintained on an individual basis for each employee;
- i. Number of hours of compensatory time earned each pay period;
- j. Number of hours of compensatory time used each pay period;
- k. Number of hours of compensatory time compensated in cash, the total amount paid and the dates of such payments;

Cross Reference: 4130	Public Access to Charter School Records
5100	Hiring Process and Criteria
5205	Job Descriptions
5240F	Sexual Harassment/Intimidation in the Workplace Policy Acknowledgement
5330F	Employee Electronic Mail and On-Line Services Use Acknowledgment

Legal Reference:

29 USC 201, et seq.	Fair Labor Standards Act
I.C. 33-517	Non-certificated personnel
I.C. 33-518	Employee personnel files
I.C. 33-1210	Information on past job performance

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5500P Procedures for Releasing Personnel Records to Hiring Schools

1. No later than twenty (20) days after receiving a request from a hiring school under the provisions of Idaho Code 12-1210 the Charter School shall provide the information requested and make available to the hiring school copies of all documents in the past or current employee's personnel file relating to job performance or job related conduct. Note: The Charter School may provide records in electronic format.
2. No Board member or Charter School employee shall enter into any agreement that has the effect of suppressing information about negative job performance by a present or former employee or expunge information about performance or misconduct from any document in an employee personnel file.
3. In fulfilling a request from a hiring school, the Charter School may choose to expunge information from an employee's personnel file relating to alleged verbal or physical abuse or sexual misconduct that has not been substantiated.
4. In fulfilling a request from a hiring school, the Charter School shall expunge information from an employee's personnel file on any materials for which disclosure would violate FERPA, HIPAA, or any other applicable federal law. The Charter School shall also redact student names from investigative or other documentation in the employee's/former employee's file as well as any medical documentation.
5. No Charter School employee who in good faith discloses information to the hiring school either in writing, printed material, electronic material, or orally shall be held civilly liable for the disclosure.

Cross Reference: 5100
5500

Hiring Process and Criteria
Personnel Files

Legal Reference: I.C. 33-1210

Information on past job performance

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5600 Staff Health

Medical Examinations

Through its overall safety program and various policies pertaining to school personnel, the Board shall promote the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain optimum health through the practice of good health habits.

Under the circumstances defined below, the Board may require physical examinations of its employees. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only as permitted by law.

Physical Examinations

If the work is of a physically demanding nature, subsequent to a conditional offer of employment and prior to a commencement of work, the Charter School may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the State. The Charter School may condition an offer of employment on the results of such examination, if all entering employees in the applicable job category are subject to such examination. If approved by personnel services, a thirty-(30)-day grace period beginning from the date of employment may be allowed for the employee to obtain the required medical examination.

Contagious or Infectious Diseases

If a staff person has a contagious or infectious disease and has knowledge that a person with compromised or suppressed immunity attends the school, the staff person must notify the school nurse or other responsible person designated by the Charter School that he has a contagious or infectious disease which could be life threatening to an immune compromised person. The school nurse or other designated person must determine, after consultation with and on the advice of public health, if the immune compromised person needs appropriate accommodation to protect their health and safety.

An employee with a contagious or infectious disease shall not report to work during the period of time in which the employee is infectious. An employee afflicted with a contagious or infectious disease capable of being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness in case there are precautions that must be taken to protect the health of others. The Charter School reserves the right to require a statement from the employee's primary care provider prior to the employee's return to work.

Confidentiality

In all instances, Charter School personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as confidential information. Only those individuals with a legitimate need to know (i.e., those persons with a direct responsibility for the care of or for determining work place accommodation for the staff person) will be provided with necessary medical information.

Supervisors and managers may be informed of the necessary restrictions on the work or duties of the employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

Legal Reference: 29 U.S.C. 794, Section 504 of the Rehabilitation Act 29 CFR,
Section 1630.14(c)(1)(2)(3)
41 U.S.C. 12101, et seq. Americans with Disabilities Act

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5610 Prevention of Disease Transmission

All Charter School personnel shall be advised of routine procedures to follow in handling body fluids. These procedures shall provide simple and effective precautions against transmission of diseases to persons exposed to the blood or body fluids of another. These procedures shall be standard health and safety practices. No distinction shall be made between body fluids from individuals with a known disease or infection and from individuals without symptoms or with an undiagnosed disease.

The administration shall develop, in consultation with public health and medical personnel, procedures to be followed by all staff. The procedures shall be distributed to all staff, and training on the procedures shall occur on a regular basis. Training and appropriate supplies shall be available to all personnel, including those involved in transportation and custodial services.

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5710 Teachers' Aides/Paraeducators

Teachers' aides/paraeducators, as defined in the appropriate job descriptions, are under the supervision of an Administrator and a teacher to whom the Administrator may have delegated responsibility for close direction. The nature of the work accomplished by paraeducators will encompass a variety of tasks that may be inclusive of "limited instructional duties."

Paraeducators are employed by the Charter School mainly to assist the teacher. A paraeducator is an extension of the teacher, who legally has the direct control and supervision of the classroom or playground and responsibility for control and the welfare of the students.

In compliance with applicable legal requirements, the Board shall require all paraeducators with instructional duties, that are newly hired in a Title I school-wide program, to have:

1. Completed at least two (2) years of study at an institution of higher education;
2. Obtained an Associate's or higher degree; or
3. Met a rigorous standard of quality, and can demonstrate through a formal state or local academic assessment the knowledge of and ability to assist in the instruction of reading, writing, or mathematics or the instruction of readiness of these subjects.

It is the responsibility of each Administrator and teacher to provide adequate training for a paraeducator. This training should take into account the unique situations in which a paraeducator works and should be designed to cover the general contingencies that might be expected to pertain to that situation. During the first thirty (30) days of employment, the supervising teacher or administrator shall continue to assess the skills and ability of the paraeducator to assist in reading, writing, and mathematics instruction.

The Administrator shall develop and implement procedures for an annual evaluation of teachers' aides/paraeducators. Evaluation results shall be a factor in future employment decisions.

Legal Reference: Public Law 107-1 10, No Child Left Behind Act of 2001

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5710F1 Teachers Aides/Paraeducators Employment Contract

Employee Information

Soc. Sec. # _____ Current Date: _____

Name: _____ Email _____
Last, First Middle

Address: _____
Street City State Zip

Home Phone: _____ Cell Phone, _____
 Background check received: Yes ___ No ___ Date received: _____

Assignment

Position Assignment: _____ Assigned Weekly Hours: _____

Hayden Canyon Charter School hereby employs _____ for the duration of the _____ school year, beginning and ending _____ and agrees to pay the Employee for said services _____ \$ / hr. , payable on the _____ day of the month.

Benefits: None As specified:

Name of Supervisor(s): Administrator & Teacher

Terms and conditions: Hayden Canyon Charter will pay up to the number of hours specified above and employee will not work over said number of hours. No overtime is authorized for any classified employee without the specific prior approval of the Administrator and Governing Board. Employee agrees to follow instructions given him/her for the Title I EA position by the supervisor and grade teacher, and performance will be evaluated at least once a year. Employee will be asked to attend an in-service training before the beginning of the school year. Employee must show proof of education or highly qualified test approval before being hired, per policy #5710. EA's may be asked to substitute, the pay for which will be at the board-approved hourly rate for the school year.

Employee hereby accepts the employment upon the terms and conditions set forth. Employee understands that employment at Hayden Canyon is "at will" and, therefore, either party may terminate the contract with or without cause. Employee is expected to give two week's notice before terminating.

Employee Signature

School Administrator/Supervisor's Signature

Board Chair Signature

Date

Policy History:

Adopted on: March 14, 2019

Hayden Canyon Charter School

5720 Volunteers / Contractors

The Charter School recognizes the valuable contributions made to the total school program by members of the community who act as volunteers. A volunteer by law is an individual who:

1. has not entered into an express or implied compensation agreement with the Charter School;
2. is excluded from the definition of "employee" under the appropriate state and federal statutes;
3. may be paid expenses, reasonable benefits and/or nominal fees in some situations; and
4. is not employed by the Charter School in the same or similar capacity for which he/she is volunteering.

Charter School employees who work with volunteers shall clearly explain duties for supervising children in school, on the playground and on field trips. An appropriate degree of training and/or supervision of each volunteer shall be administered commensurate with the responsibility undertaken.

In order to maintain a safe environment for the students of this Charter School, the names of all contractors (including subcontractors) who perform work on school property will be provided to the Charter School in advance of performing work on school property. The names of contractors will be checked against the statewide sex offender register and any contractor who is listed on such registry will not be allowed to perform work on school property.

Cross Reference: 5110 Fingerprint and Criminal Background Investigations
 4420 Sex Offenders
 4600 Volunteer Assistance

Legal Reference: I.C. 33-512 Governance of Schools

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5740 Reduction in Force (RIE)

It is recognized that the Board has the responsibility to maintain good public schools and to implement the educational interest of the state, consistent with state and federal educational requirements, including school attainment of adequate yearly progress, improvement plans, accreditation requirements, and other school-based issues. However, recognizing also that it may become necessary to eliminate certificated staff positions in certain circumstances, this policy is adopted to provide a fair and orderly process should such elimination become necessary.

The Board has the sole and exclusive authority to determine the appropriate number of certificated employees and to eliminate certified staff positions consistent with the provisions of the State law. A reduction of certified employees may occur as a result of, but not be limited to, the following examples or from other conditions necessitating reductions:

1. Decreases in student enrollment
2. Changes in curriculum
3. Financial conditions or limitations of the Charter School

The need for implementation of a Reduction in Force and/or the elimination of certificated positions is left to the sole discretion of the Board, provided however, that no such decision shall be made until after completion of the written evaluation for each certificated staff member and that the decision as to which employee(s) shall be subject to such reduction shall not be made solely on consideration of seniority or contract status.

The Board may choose to implement a RIF through:

1. the elimination of an entire program or portions of programs;
2. the elimination of positions in certain grade levels only;
3. the elimination of positions by category;
4. the elimination of positions in an overall review of the Charter School;
5. the elimination of positions through other considerations and implementation decisions;
6. the elimination of a portion or percentage of a position(s) or any combination of the above.

Legal Reference:	I.C. 33-514	Issuance of Annual Contracts
	I.C. 33-515	Issuance of Renewable Contracts
	I.C. 33-522 A	Reductions in Force

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5750 Employing Retired Teachers and Administrators

One of the Board’s personnel goals is to recruit, select, and employ the best qualified personnel to staff the Charter School. As such, retired employees who leave the School in good standing may be re-employed as a “Return to Work” employee according to the following guidelines:

1. The Charter School may employ a person previously employed as a school district or charter school instructional, pupil service, or other certificated staff member, certificated teacher or administrator who is receiving retirement benefits from the public employee retirement system of Idaho (PERSI) for positions requiring such certification provided such individual was not promised “rehire” by the School before their retirement was in effect. These employees are referred to below as “retiree” or “retirees”.

In addition, effective until June 30, 2026, the School may hire individuals who retired from any PERSI-eligible employer, so long as the individual retired on or after age 55, and so long as the individual acknowledges they may not accrue additional retirement benefits. All such employment under Idaho 59-1356(5) must end on or before June 30, 2026.

These employees are considered to be employed “at-will” and in accordance with the Standard Retired Teacher Contract or Standard Retired Administrator Contract form that has been approved by the State Superintendent of Public Instruction and which expires at the end of every school year.

2. Retirees employed consistent with this policy and State law shall accrue one day per month of sick leave. No annual sick leave shall be accumulated unless additional sick leave has been negotiated between each individual retiree and the Charter School at the time of employment. Sick leave accrued by a retired employee under Idaho Code § 33-1004H does not qualify for unused sick leave benefits under Idaho Code § 33-1228.
3. The Charter School will provide health insurance and life insurance benefits for retirees hired consistent with this policy.
4. The Charter School shall not employ certificated teachers and administrators who receive or received benefits under the previously existing early retirement program provided in now repealed Idaho Code 33-1004G.
5. Retirees who qualify to be rehired are those who:
 - A. Have reached the Rule of 90;
 - B. Are not participating in the early retirement program;
 - C. Who are retired at or after 60 years of age;
 - D. Have never received a “promise of rehire” before their retirement date; and
 - E. Have received at least one payment from their PERSI retirement account;
 - F. Meet all conditions and requirements of PERSI to qualify for this program, as such may change from time to time.

6. Any year in which a retired teacher or administrator is hired, the Executive Director shall sign a form to be retained by the School in the employee's personnel file attesting that:
- A. Any retired teachers or administrators have been employed using the standard retired teacher or retired administrator contract, as appropriate;
 - B. The length of any such contract is one year; and
 - C. Rehire was not agreed to between the teacher or administrator and the School prior to retirement.

Cross Reference:	5100	Hiring Process and Criteria
Legal References:	I.C. § 59-1302	Definition – School Employee
	I.C. § 59-1356	Reemployment of Retired Members
	I.C. § 33-1004H	District Trustees - Employing Retired Teachers and Administrators
	I.C. § 33-1228	Teachers - Severance Allowance at Retirement
	I.C. § 33-5206	Requirements and Prohibitions of a Public Charter School
	I.C. § 33-5208	Public Charter Schools - Public Charter School Financial Support
	I.C. § 59-1356	Public Employee Retirement System - Reemployment of Retired Members

Policy History:

Adopted on: 7/6/2022

Revised on:

Reviewed on:

Hayden Canyon Charter School

5800 Classified Employment, Assignment and Grievance

Classified employees are those non-certificated employees who are employed by the Charter School or personnel hired in positions which do not require certification.

With the exception of those classified employees who are hired for a stated specified time, all classified employees shall be regarded as "at-will" employees and may be dismissed at the will of either party and the employment relationship may be terminated at any time for any or no reason (so long as the same does not violate public policy or violate any other provision of law). Such at-will designation will be included in all job descriptions as mandated by I.C. 33-517 and in written contracts, should the same be implemented by the Charter School. An employment period, as well as other terms and conditions of employment set forth in a job description and/or written contract shall not create a property right as such are included for the specific purpose only of providing notice to the employee of the service and expectations of the Charter School so long as the employment relationship continues.

Classified employees shall have no expectation of continued employment, unless so expressly specified by the Charter School. The Charter School reserves the right to change employment conditions affecting the employee's duties, assignment, supervisor or grade.

The Board shall determine the salary and wages for classified personnel.

The grievance procedure for classified employees shall be the procedure set forth in I.C. 33-517. Classified employees may file a written grievance alleging unfair treatment or a violation of Charter School policy. However, neither the rate of pay nor the decision to terminate an employee during the initial 180 days of employment shall be regarded as a proper grievable matter.

Cross Reference: 5800P

Classified Employee Grievance Procedure

Legal Reference: I.C. 33-517

Non-certificated personnel

I.C. 33-1201

Certificate required

Metcalf v. Intermountain Gas Co., 116 Idaho 622 (1989)

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5810 Compensatory Time and Overtime/Classified Employees

Classified employees who work more than forty (40) hours or the specified number of hours assigned in a given work week may receive overtime pay of one and one-half (1 1/2) times the normal hourly rate unless the Charter School and the employee agree to the provisions of compensation time at a rate of one and one-half (1 1/2) times all hours worked in excess of forty (40) hours in any work week. No overtime is authorized for any classified employee without the specific prior approval of the Administrator, except as the Administrator shall otherwise prescribe.

A classified employee may not volunteer work time in an assignment similar to his or her regular work without pay.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

Legal Reference: 29 USC 201, et seq., Fair Labor Standards Act

Policy History:

Adopted on: March 14, 2019

Revised on:

Hayden Canyon Charter School

5820 Evaluation of Non-Certificated Staff

Each non-certificated staff member's job performance shall be evaluated by the staff member's direct supervisor. The evaluation process includes scheduled evaluations, on forms applicable to the job classification and description, and day-to-day appraisals.

The supervisor shall provide a copy of the completed evaluation to the staff member and shall provide an opportunity to discuss the evaluation. The original should be signed by the staff member and filed with the Administrator. If the staff member refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Administrator. The employee will be allowed the opportunity to attach a rebuttal to any information contained in the evaluation.

Legal References: I.C. 33-517 Noncertificated Personnel
I.C. 33-518 Employee Personnel Files

Policy History:

Adopted on: March 14, 2019

Revised on: