

Liberty Charter School

PERSONNEL

5000

Board Goal/Personnel

The human resources of Liberty Charter School are valuable and significant in creating an effective educational program and learning environment. The Governing Board recognizes that schools function most efficiently and successfully when highly qualified individuals are employed to staff the needs of Liberty Charter School. Opportunities for staff development, including staff development in the Harbor School Method™, should be provided periodically. The Board further recognizes the importance of supervision as specifically defined by the Harbor School Method™, as a necessary, ongoing function of the Charter School's Administrator. 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: 1/5/2012

Revised on:

Hiring Process and Criteria

The Board of Directors has the legal responsibility of hiring all employees. The Board assigns to the Administrator the process of recruiting personnel **and hiring all classified personnel**. The Administrator may involve various administrative and teaching staff as may be needed in recruiting potential personnel. All **certificated** personnel selected for employment must be recommended by the Administrator or designee and approved by the Board. All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

To aid in obtaining quality staff members, the following non-exclusive list of factors will be considered, along with any other factors relevant to the position: qualifications, training, experience, personality, character, and ability to relate well with students. Every effort will be made to maintain wide diversity in staff experience and educational preparation. However, the welfare of the children of the Charter School will be a paramount consideration in the selection of teachers and administrators.

All applicants applying for a certificated position who are pursuing an alternate route to certification shall be considered on a case-by-case basis. They must hold or demonstrate ability to hold any state certification required for the position and demonstrate they meet the alternate route requirements.

Except where otherwise specified, this policy applies to the hiring of all certificated and classified staff members in the School except for the Administrator. This policy shall be made available to any Charter School employee or person seeking employment with the School.

Guidelines

1. There will be no discrimination in the hiring process. See Policy 5120.
2. If the vacant position is that of the Administrator, the hiring process and the review of all applicants is the responsibility of the Board of Directors.
2. Applicants for teaching and administrative positions shall provide evidence of meeting State requirements for certification as described below and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to the Charter School all information relating to job performance or job related conduct, and making available to the School copies of all documents in the applicant's previous personnel files, investigative files, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The Charter School will consider information

received from current and past school district employers only for the purpose of evaluating applicants' qualifications for employment in the position for which they have applied. No School employees shall disclose this information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants' qualifications for employment. Applicants may be employed on a non-contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the Charter School's request. See Forms 5100F1 and 5100F2.

3. Applicants must meet the applicable State standards for the position they are applying for. Applicants for high school and middle school teaching positions should have a major or its equivalent in the field they will be teaching). Applicants for elementary school teaching positions should have a major or its equivalent in elementary education or in their area of assignment(s).
4. **Applicants for all teaching positions, pupil service staff, and administrator positions should have a minimum grade point average (GPA) of 2.5 overall and a GPA of 2.75 in the area in which they will teach, if applicable.**
5. When considering assignments coaching secondary students, preference for hiring will be given to qualified certificated professional employees in the school where the coaching vacancy exists. The Administrator will be responsible for assuring that all qualified and interested applicants within the building have been given consideration. Giving such individuals consideration does not mean that such an individual will necessarily be retained for a coaching position. Another individual who is not a certificated School employee may receive the position in question.
6. 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.
7. As required in Idaho Code 33-130 and 33-512(15), the School will conduct a criminal history check for applicable positions. See Policy 5110.
8. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.
9. Applicants must have an understanding of the Charter School mission and vision and a desire to meet the intent of the Charter School in addressing its unique reason for establishment.

The employment of any certified staff member is not official until the contract is approved by the Board and signed by both the Board Chair and the applicant.

To assist administrators in complying with the above policy for the hiring of staff, the following guidelines shall be utilized when hiring **certificated** staff:

Notice of Vacancies

The Administrator shall develop procedures for the posting of available positions within the Charter School.

1. Job Vacancy Notices: Any notice from the Charter School will contain the following information:

- A. Position available and job description.
- B. Requirements for completed application, as applicable for position. For a certificated position, these include but are not limited to:
 - a. A completed Charter School application form;
 - b. Official transcripts of all university or college credits;
 - c. A placement center file;
 - d. A personal resume; and
 - e. Verification or eligibility of Idaho certification.

For all positions, a signed statement/release for current and past school district employers is required.

- C. Timeline for receiving application.
- D. Process notification of how applications will be handled.

2. Application Procedures for Certificated Positions: It will be the responsibility of any applicant to provide the information required for a completed application listed above.

- A. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.
- B. It will be at the discretion of the Administrator or the appropriate administrator to determine whether such deadlines should be extended to accommodate individuals where placement center files, transcripts, or other materials are not yet received by the Charter School for consideration. Such time extension will be restricted to a reasonable time frame.
- C. In addition to the certification information provided by the applicant, the Charter School will also request from the Office of the Superintendent of Public Instruction verification of certification status, any past or pending violations of the professional code of ethics, any detail as to any prior or pending conditions placed upon a certificate holder's certificate, any prior or pending revocation, suspension, or the existence of any prior letters of reprimand and information relating to job performance.

- D. Within three business days of receipt of the statement releasing information from prior school district employers, as required by I. C. 33-1210, such statement shall be sent to the prior employers with a request for release of information and documentation to be provided as required by that section.

Because responses to such requests may take up to 20 days, or possibly more for out-of-state school district employers, information received pursuant to such request may be reviewed prior to or after interviews have been concluded, at the discretion of the Charter School. Where possible, such information should be utilized as part of the screening process. However, due to considerations of time, such early review may not be possible, and such information received pursuant to this process may be reviewed or utilized up to any time prior to offering employment to an applicant or during an applicant's period of provisional employment.

- E. Upon receipt of the completed applications, those applications will be placed in a file for review and consideration at the Charter School Office.

Board Action - **Hiring of Certificated Employees**

When approving the hiring of a **certificated** employee, the Board of Directors of the Charter School will:

1. Have placed before it the name of the final candidate for the position; and
2. Discuss hiring and, in situations wherein the individual qualifications of the applicant are discussed, go into executive session pursuant to law; and
3. Vote relating to approval or disapproval of the candidate. If members of the Board personally have knowledge not available to the administrator and the screening committee the Board will not take action until all concerns have been reviewed by the administrator.

Approval of Candidate for Certificated Position

Upon approval by the Board of Directors, a contract, which may comply with the forms recommended by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in IC 33-5206(4). The applicant must sign the contract and return it within ten days from the date the contract is delivered to them. If the person willfully refuses to acknowledge receipt of the contract or if the contract is not signed and returned to the Board in the designated period of time, the Board or designee may declare the position vacant. If the candidate is not approved, or if the person willfully refuses to acknowledge receipt of the contract or if the contract is not signed and returned to Administration, the Administrator will remand the situation to the administrator and screening committee to provide the next applicant's name for consideration.

Any person on provisional employment pursuant to IC 33-1210(7) shall be subject to the same time limits and provisions for return of a signed contract when and if such contract shall be provided to them for signature.

Certification

To qualify for employment, each teacher, pupil service staff, or administrator must have, and maintain during the entire school year, a valid Idaho instructional/pupil service staff/administrator certificate on file in the Charter School Office at the beginning of the school year. If at any time the teacher/pupil service staff/administrator's certification lapses, is revoked, or suspended, the certificated employee may be subjected to action declaring a contract violation and action will be taken to terminate the employment of the individual with the School.

Cross References:	5100F1-F3 5110 5120 5740PA1 – 2	Hiring Process and Criteria Forms Criminal History/Background Checks Equal Employment Opportunity and Non-Discrimination Reduction in Force Procedures and Forms
Legal References:	IC § 33-130 IC § 33-1210 IC § 33-5204 IC § 33-5206 IC § 33-5210 IC § 65-505 IC § 65-501, <i>et seq.</i> IC § 74-206 IDAPA 21.01.06 IDAPA 08.02.02.015.02 IDAPA 08.02.04.300	Criminal History Checks for School District Employees or Applicants for Certificates or Individuals Having Contact with Students Information on Past Job Performance Nonprofit Corporation—Liability—Insurance Requirements and Prohibitions of a Public Charter School Application of School Law – Accountability – Exemption from State Rules Officials to Observe Preference Rights and Privileges of Veterans Executive Sessions — When Authorized Rules for the Enforcement of the Veteran's Preference in Public Employment Standard Pupil Service Staff Certificate Public Charter School Responsibilities

Policy History:

Adopted on: 2012.01.05

Revised on: 2019.11.13

Revised on: 2020.01.16

Revised on: 2023.01.18

Revised on:

Liberty Charter School

PERSONNEL

5100F1

Liberty Charter School

9955 Kris Jensen Lane
Nampa, ID 83686
208-466-7952
Fax: 208-466-7961

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

§ 33-1210 RELEASE:

I understand that the above requirements are a condition of my obtaining employment with Liberty 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 Liberty 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 Liberty Charter School upon employment of the Applicant, if any.

*An Applicant's failure to disclose any former School 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 Liberty 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, Liberty Charter School makes no guaranty or promise of employment to the Applicant. Further, the hiring 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 Liberty Charter School for any length of time or pursuant to any additional conditions.

Policy History:

Adopted on: 1/5/2012

Revised on:

Liberty Charter School

PERSONNEL

5100F2

Liberty Charter School

9955 Kris Jensen Lane

Nampa, ID 83686

208-466-7952

Fax: 208-466-7961

REQUEST TO EMPLOYER

IDAHO CODE 33-1210

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

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

The aforementioned subsection (2)(a) of the statute requires Applicants to sign a statement "authorizing the applicant's current and past employers [meaning school employers], including employers outside of the State of Idaho, to release to the hiring School all information relating to the job performance and/or job related conduct, if any, of the applicant and making available to the hiring 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 Liberty Charter School. This individual has identified your School as a prior employer. Accordingly, we are requesting that you please provide to Liberty Charter School a copy all information relating to this individual's performance as an employee with your School. In accordance with the terms of the statute in question, we request receipt of this information within twenty (20) business days after receipt of this request. This information may be sent either as written documentation or in electronic format. We would request that you advance this information to:

[Insert Charter School Contact Information Here]

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

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

Policy History:

Adopted on: 1/5/2012

Revised on:

Liberty Charter School

PERSONNEL

5100F3

Liberty Charter School

9955 Kris Jensen Lane
Nampa, ID 83686
208-466-7952
Fax: 208-466.7961

REQUEST FOR VERIFICATION OF CERTIFICATE STATUS

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

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

Name of Applicant _____
D.O.B.: _____

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

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

Liberty Charter School would greatly appreciate it if this information could be advanced to the attention of Administration on or before the _____ day of _____ in order to allow a timely decision as to employment matters. This information may be mailed at the above address or sent via electronic format to: _____.

Sincerely,

Co-Administrators

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 (form 5100F3).
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:

Adopted on: 2012.01.05

Revised on: 2020.01.16

Reviewed on:

Liberty Charter School

PERSONNEL

5101

School Specific Teaching Certificates

Liberty Charter School, #458 teachers shall be required to hold a teaching certificate. This may be a standard instructional certificate or interim certificate as described in Idaho Code 33-1201 et seq. and IDAPA 08.02.02 or it may be a charter school-specific teaching certificate. Teachers employed in any special education assignment must have a standard instructional certificate, not a charter school-specific teaching certificate.

To obtain a school-specific teaching certificate with the Liberty Charter School, a teacher must meet the following criteria:

1. Be at least 18 years of age.
2. Be free from contagious diseases. If at any time there is probable cause to believe the person has a contagious disease, the situation shall be addressed as described in Policy 5235.
3. Have on file with the State Department of Education the results of a criminal history check as described in IC 33-130.
4. Have no conviction for a felony listed in IC 33-1208.

The teacher must also hold a bachelor's degree from an accredited institution unless they are teaching career technical education courses and satisfy the following requirements:

1. Hold or have held an approved industry certification in a field closely related to the content area they will teach or demonstrate a minimum of 6,000 hours of professional experience in a field closely related to the content area they will teach; and
2. Complete an educator training program or courses approved by the Division of Career Technical Education.

Whether an industry certification or field of professional experience is closely related to the area to be taught will be as defined by the Division of Career Technical Education.

The School shall apply to the State Board of Education for a school-specific teaching certificate for any teacher it wishes to grant such a certificate to. The State Board of Education may refuse to issue or authorize a certificate to any applicant for any reason that would be grounds for revoking a certificate.

Teachers with a school-specific teaching certificate shall receive mentoring and professional development as approved by the Board of Directors and meet any other requirements imposed by the Board.

The Board of Directors may accept a school-specific teaching certificate issued by another charter school if the requirements to receive that certificate meet or exceed those of the Liberty Charter School’s school specific teaching certificate.

The Board directs the Administrator to draft requirements for school specific certificate holders’ ongoing education and professional development. These requirements shall include the same number of credit hours is required as that of teachers holding a standard instructional certificate.]

Holders of school-specific teaching certificates are required to comply with and conform to Idaho law and the Code of Ethics of the Idaho Teaching Profession.

Cross References:	5235	Health Examination
Legal References:	IC § 33-103	Removal of Members — Cause
	IC § 33-1201 et seq.	Teachers
	IC § 33-2205	State Board to Appoint Administrator —
		Designation of Assistants — Division of
		Career Technical Education — Duties and
		Powers
	IC § 33-5206(6)	Requirements and Prohibitions of a Public
		Charter School
	IDAPA 08.02.02	Rules Governing Uniformity

Policy History:
Adopted on: 2023.01.18
Revised on:
Reviewed on:

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 Board Member 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 charter school/school district.

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

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 employee's 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. The contract should be in a form approved by the State Superintendent of Public Instruction.

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). The contract shall be in a form approved by the State Superintendent of Public Instruction.

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 the Charter School delivers contracts via electronic means, with return electronic receipt, and the School has not received a returned signed contract and has not received an electronic read receipt from the employee, the 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 10 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 Principal 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 References: 5340
6100

Evaluation of Certificated Personnel
Executive Director

Legal References: I.C. § 33-507
I.C. § 33-513

Limitation upon Authority of Trustees
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
I.C. § 33-5206	Requirements and Prohibitions of a Public Charter
	School
I.C. § 59-1302	Definitions

Policy History:

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Revised on: 2022.07.14

Liberty Charter School

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Criminal History / Background Checks

General

It is the policy of Liberty 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 Liberty Charter School, could provide valuable information to the Charter School.

Where a prior conviction is discovered, Liberty 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.

If an applicant or employee makes any misrepresentation or willful omissions of fact regarding prior criminal history, such misrepresentation or omission shall be sufficient cause for disqualification of the applicant or termination of employment.

Initial Hires

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

- (1) Certificated and noncertificated 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 complete ten (10) finger fingerprint 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; and
- (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 Liberty Charter School of any arrest or criminal conviction that occurs subsequent to being hired by Liberty 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 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 shall contact the Principal or designee upon receiving notification that an employee has been arrested or has a protection order served against him/her. Liberty 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 Liberty 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.

Other employees

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

Volunteers

Any volunteer in Liberty Charter School who has regular unsupervised access to students, as determined by the Principal or the Principal'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 Principal, who shall decide whether the volunteer is suitable to be in the presence of the students in Liberty Charter School. Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

Contractors

Liberty Charter School maintains a safe environment for students by developing a system that cross-checks all contractors or other persons who 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. §33-512	Governance of schools
	I.C. §9-340(C)	Records Exempt from Disclosure
	Public Law 105-251,	Volunteers for Children Act

Policy History:

Adopted on: 1/5/2012

Revised on:

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 School, if the individual is otherwise qualified for the position, unless the accommodation would impose an undue hardship upon the 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 References:	5100 5250	Hiring Process and Criteria Certificated Staff Grievances
Legal References:	Pub. L. 99-603 20 U.S.C. §§ 1681 - 1682 29 U.S.C. § 206(d) 29 U.S.C. §§ 621-34 29 U.S.C. § 701, <i>et seq.</i> 42 U.S.C. §§ 2000(e), <i>et seq.</i> 42 U.S.C. §§ 12101, <i>et seq.</i> 29 C.F.R. Part 1601 29 C.F.R. § 1604.10	Immigration Reform and Control Act of 1986 Title IX of the Education Amendments of 1972 Equal Pay Act of 1963 -Prohibition of Sex Discrimination Age Discrimination in Employment Act of 1967 Section 504 of the Rehabilitation Act of 1973 Title VII of the Civil Rights Act of 1964 Title I of the Americans with Disabilities Act of 1990 Implementing Title VII of Civil Rights Act Pregnancy Discrimination Act -Employment Policies Relating to Pregnancy and Childbirth

34 C.F.R. Part 106

Nondiscrimination on the Basis of Sex in
Education Programs or Activities Receiving
Federal Financial Assistance (Implementing
Title IX)

I.C. § 33-5206

Requirements and Prohibitions of a Public
Charter School

I.C. § 67-5909

Commission on Human Rights - Acts
Prohibited

IDAPA 08.02.04.300

Public Charter School Responsibilities

Policy History:

Adopted on: 2012.01.05

Revised on: 2016.02.11

Revised on: 2020.01.16

Liberty Charter School

PERSONNEL

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: 1/5/2012

Revised on:

Liberty Charter School

PERSONNEL

5200

Applicability of Personnel Policies

Except where expressly provided to the contrary, personnel policies apply uniformly to the employed staff of the Charter School.

Classified employees are employed at will and the charter school policy manual is not intended to express a term of an employment agreement. The provisions of this policy manual do not create a property right which would modify the Charter School's right to terminate the employment relationship of classified employees at will.

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

Policy History:

Adopted on: 1/5/2012

Revised on:

PERSONNEL

5205

Job Descriptions

There shall be written job descriptions for all positions and for all employees of the Charter School. The job description will describe the essential characteristics, requirements, and general duties of the job or position. All personnel shall be subject to the requirements delineated in the job descriptions so that they may effectively contribute to the goals and purposes for the School. The descriptions shall not be interpreted as complete or limiting definitions of any job, and employees shall continue in the future, as in the past, to perform duties assigned by the Board, supervisors, or other administrative authority.

Once each year or as provided by Idaho Code, the supervisors of all employees shall confer with each person under his or her supervision to review the individual's work.

The evaluation shall be documented by use of the Charter School evaluation form for classified or certified personnel. No evaluation should be signed before it is fully discussed by both the employee and the supervisor. One signed copy will be given to the employee and one signed copy will be given to the Executive Director or his or her designee to be maintained in the employee's personnel file.

Cross Reference: 5500

Personnel Files

Policy History:

Adopted on: 2012.01.05

Revised on: 2020.01.16

Revised on:

February 11, 2016

Teachers,

Let me first apologize for the long, long email. Print out the email and policy and keep both close to your desk so you can read often to remind you of the content. This policy is for Liberty and Victory, the two K-12 Harbor Schools.

Please see attached policy. It was discussed last fall in the meeting before the new school year the expectations of needing all hands on deck to promote our high school, and to help in the efforts of retaining our k-8 students into high school. It was emphasized that Liberty, as a charter school, is a public school that has no safety net in terms of local property tax \$, emergency bond levies, etc., to bail it out of hard times when/if there are significant enrollment decreases. In other words, Liberty is a school that can fail...go out of business. We were reminded that we all need to be involved in ensuring its on-going success – that by doing so we continue the positive effects we've so far secured for our employees' livelihood and work environment, and for our students' great education and safe learning atmosphere.

But what I realized is the expectations were given at that time without a roadmap to follow. For that, I am very sorry. The attached policy adopted by the Governing Board is the roadmap we need.

We are a K-12 school. So all teachers will take part in the activities at the high school level. The high school teachers have done the work since the high school opened in 2001 to make our high school program attractive to students. They have chaperoned high school fundraisers and dances, attended plays and concerts, worked at games, 4 May Awards evenings, and overseen other, important activities, such as National Honor Society. The high school teachers have added more students per class during the lean years so we wouldn't have to cut all teachers' salaries. Without a high school, we cannot afford the costs of a building, expenses, and certainly salaries.

This is not to take away from the great job the K-8 teachers do in managing their classrooms so as to achieve the highest student academic and behavioral outcomes possible. Our K-8 students are at the highest levels of achievement because of the K-8 teachers' commitment to the Harbor Method. However, if we do not retain the vast majority of our K-8 students who have had the benefit of the Harbor K-8 program, but replace them with struggling students needing substantial remediation, we will not be able to sustain the high expectations of our charter contract & certificate with the state. In plain words, we will go out of business. (Don't get me wrong, I believe we have done remarkable things with students who needed our school environment in order to excel. But if we end up having more of an alternative high school setting, rather than what we've designed -- a college-bound, high-school setting -- we will not fulfill our charter & certificate requirements. To review what those are, you can find our Charter Certificate on the school's website.)

It really does take an all-hands-on-deck approach. Therefore, K-8 teachers will now be able to help their colleagues at the high school level. By doing so, not only are all teachers involved in promoting the school, they are also now invested in our students'

growth through to graduation. The big benefit, for example, when teachers attend a choir/jazz concert, is they can come to school the next student contact day and talk to their kids about the excellent music program at the high school. You can name songs (maybe even hum a few bars), mention students with solos (those the younger ones look up to or their siblings), or share all the various musicianship taking place – from drummers to vocalists to saxophonists -- in other words, you can motivate and encourage your students to want to be part of it. For instance, there are only 2 students in all of Idaho this year who made the 8-state jazz choir after taking part in auditions against a couple thousand other students. Both of them are from Liberty who dual enroll in the fabulous Victory music program, and they get to go to Seattle next month to perform. Our plays are wonderful. When you attend, you will be able to promote our drama program, highlighting students who were excellent. Our younger students need to hear that not only is it fun to go watch the high school basketball and volleyball players, but that these players at our small school are getting some of the same opportunities to play in college that players in larger high schools are getting. Our younger students need to be told of these opportunities -- ones they can also have in our high school if they work hard. Not to mention, the elementary students will love seeing their teachers helping at movie nights and the K-8 teachers will also promote better student behavior at these events. High school students will love seeing their K-8 teachers taking a continued interest in them by taking part at their sporting and activity events. This is a win-win for our school.

You will note that the Teacher Talent Show is now in the same policy. It is an event that benefits the Harbor culture. We send our kids home for the summer smiling. I have said from the beginning that the Harbor Method is 25% classroom instruction and 75% culture. This policy will only make our culture better which will assist learning. Teachers will now have the opportunity to not only model attitude and effort during the school day, but also at after-school activities.

Although, we are many things in this life, a spouse, daughter, son, parent, etc., Liberty (like all businesses) does not hire you for any of those roles. We hire you to be an outstanding employee. Part of that is the responsibility to be part of the team and to take part in continued success.

Again, I am sorry for giving staff expectations without providing a way to make them happen. Please read the policy closely and feel free to talk to the administration if you have questions. The high school teachers and AD will identify the dates of dances, prom, choir/jazz performances, plays, academic events, and sporting events by the time school starts in August. There will be an organizational chart for activities in the office which will be managed by the administration. This way you can easily plan your year to cover your obligations per this policy as well as plan for any other activities that you'd like to attend.

Thank you for all you do and for continuing to provide the best education possible for students.

Becky

Teacher Involvement and Support of School Mission and Vision

As a charter school and school of choice, Liberty Charter School is in the unique situation whereby the school could fail due to lack of student enrollment and associated funding. Due to this fact, it is critical that the school and its employees serve as positive ambassadors for the school's mission and vision and participate in the school's public relations, and student retention activities.

A fundamental Harbor Method tenant is that "School cultures teach. They teach through the expectations set for them by the people working in them, both children and adults. They teach through the visible and invisible ways that people work together. They teach through the ways in which people treat one another. Safe, supportive school cultures mitigate the potential effect that differences among students could have on their learning."

"The practices and conduct of the adults in the school are expected to be a primary model for students as they learn the character traits and work habits that will be life-long assets to them." Teacher involvement in school-sponsored activities, beyond the classroom, is important not only to every student's academic achievement but also in supporting the school's culture and student retention. Teacher involvement models and supports the caring environment the Harbor Method has created in support of our students. Such involvement is expected from all certificated staff of the school, regardless of primary grade level of student instruction.

Additional Certificated Job Duties:

1. As a component of a certificated employee's job duties, each K-12 certificated staff member shall seek out ways to attend, volunteer and/or oversee a minimum of five (5) school activities per school year. Such participation shall be in addition to any event which the teacher may attend associated with their job duties, their child's participation in an event at the school or a spouse's role in an event (i.e. coaching). To fulfill this participation expectation, all certificated employees, regardless of grade of instruction:
 - will attend one performance of either choir/jazz or a play each year;
 - will work at one high school fundraiser; and
 - will attend one sporting event that your child/spouse is not involved.

To assist facilitating such teacher involvement, the school's administration shall develop a procedure for coordinating teacher involvement associated with the various opportunities and duties.

2. A component of the certificated employee's job duties shall include the "Talent Show" or teacher performance function on the last day of the student's school year. Such event is true to the Harbor Method's desire to address the tone and tenor of the educational environment and the end of the school year for its student population.
3. A component of the certificated employee's job duties shall include attendance and participation at the school's annual Open House.

Successfully completing this expectation will be noted on teachers' annual evaluation, Domain 4 Professional Responsibilities, 4d Participation in the Professional Community, Service to the School and Participation in School Projects.

Should any individual teacher experience a situation whereby the teacher will have a problem fulfilling any of the above-identified job duties, in addition to the standard duties involved with their teaching position, an individual conference needs to be held with the teacher's school administrator to address what alternatives, if any, can meet the same objectives and intentions of the job responsibility identified.

This policy and the expectations contained herein emphasize the importance of teachers and administrators in the school's engagement with and commitment to our students. The active involvement of our certificated personnel in the educational and extra-curricular activities of our students supports the mission and vision of the Harbor Method and helps to ensure the longevity of the school's program for both the students it serves and the personnel it employs.

Policy History

Adopted on: 2016.02.11

Teacher Communication with Parents

Too often, teacher communications with parents only involve addressing negative behaviors by the parents' child. For a myriad of reasons, however, it is far more productive for the student, teacher and parents alike, for teachers to communicate with parents about the many positive experiences and interactions the student and teacher have enjoyed together in school.

As a result, and consistent with the school's Harbor Method philosophy of teaching, during each two (2) week period of the school year where classes are in session, all teachers are required to send three (3) positive emails to the parents or guardians of students sharing with them a specific incident, interaction or event in which the student demonstrated positive attributes. The emails should discuss separate, distinct events, and cannot all be sent on the same day, or discuss the same event. The teacher's supervising administrator(s) shall be a cc. recipient of each email.

This requirement will be a teaching expectation and will be noted on the teacher's annual evaluation, Domain 4, Professional Responsibilities, Component 4c, Communicating with families.

Such communication will demonstrate the teacher's dedication to the students and their families by emphasizing their positive experiences and interactions shared with each of their students, and in so doing will enhance the teacher's self-recognition and appreciation of the many positive experiences shared with their students.

Policy History:

Adopted on: 2020.11.06

Revised on:

PERSONNEL

Certified Staff PM Bus Duty

All first through eighth grade and SPED teachers will supervise the disposition of students at the end of the school day. Teachers will direct the loading of their assigned bus from 2:40 until the bus departs. The schedule will be reviewed each year.

One administrator will manage the morning student drop-off. The other administrator will manage the afternoon student pick-up. The afternoon administrator will direct traffic from the west side of Kris Jensen Lane at the northeast corner of the staff parking lot. Map attached.

RATIONALE:

Student safety and correct disposition is critical.

Having a teacher to direct the loading of each bus is efficient and accurate.

The authority a teacher represents encourages better student and parent behavior.

With administrator and teacher effort, buses, students and parents exit the grounds quickly and safely.

Policy History:

Adopted on: 2023.12.06

Reviewed on:

Liberty Charter School

PERSONNEL

5210

Work Day

Length of Work Day - Certified

The length of a work day for a certified employee shall be seven and one-half (7 1/2) hours for a full-time certified employee. The work day is generally exclusive of lunch and extracurricular assignments but inclusive of preparation time and assigned duties. Arrival time shall generally be one-half (1/2) hour before classes begin or as directed by the administrator.

Length of Work Day - Classified

The length of a classified work day is governed by the number of hours for which the employee is assigned. A "full-time" employee shall be considered to be an eight-(8)-hour per day/forty (40)-hour per week employee. The work day is exclusive of lunch but inclusive of breaks unless otherwise and specifically provided for by the individual contract. The schedule will be established by the supervisor.

Liberty Charter School will not hire full-time classified employees except in unusual circumstances and when consistent with the Harbor MethodTM.

Breaks

A daily morning and afternoon rest period of fifteen (15) minutes may be available to all full-time, classified employees. Hourly personnel may take one (1) fifteen-(15)-minute rest period for each four (4) hours that are worked in a day. Breaks will normally be taken approximately in mid-morning and mid-afternoon and should be scheduled in accordance with the flow of work and with the approval of the employee's supervisor.

Legal Reference: 29 USC 201 to 219
29 CFR 516, et seq.

Fair Labor Standards Act of 1985
FLSA Regulations

Policy History:

Adopted on: 1/5/2012

Revised on:

Assignments, Reassignments, Transfers

All staff shall be subject to assignment, reassignment, and transfer of position and duties by the Board, Administrator, supervisor, and/or other administrative staff member. Changes in assignment may also be made at the request of an employee. Assignment shall be based upon the qualifications of the candidate and the philosophy and needs of the Charter School.

If a change of assignment was not requested by the employee, he or she should be consulted and have an opportunity to express his or her preferences. However, the final decision on transfer or alteration of any assignment rests with the Administrator.

Teachers shall be assigned at the levels and in the subjects **that are appropriate and allowable for the certificates and endorsements they hold**. The Administrator shall provide for a system of assignment, reassignment, and transfer of classified staff, including voluntary transfers and promotions consistent with this policy and State law. Nothing in this policy shall prevent the reassignment of a staff member during the school year.

When the Board reassigns an administrative employee to a non-administrative position, the employee shall be entitled to an informal review.

Classified Staff

The right of assignment, reassignment, and transfer shall remain that of the Administrator. Written notice of a reassignment or involuntary transfer shall be given to the employee. Opportunity shall be given for the staff member to discuss the proposed transfer or reassignment with the Administrator.

Teaching

All teachers shall be given notice of their teaching assignments relative to grade level, building, and subject area before the beginning of the school year, recognizing that such placement could change subsequent to this initial notice, including during the course of the school year.

Cross Reference:	5107	Informal Review
	6100-6100P	Principal
	6200	Charter School Organization

Policy History:

Adopted on: 2012.01.05

Revised on: 2019.11.13

Revised on: 2020.01.16

Accommodating Individuals With Disabilities

Individuals with disabilities shall be provided a reasonable opportunity to participate in all school-sponsored services, programs, or activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. The Charter School will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Principal is designated the Americans With Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the Charter School's compliance efforts, recommend necessary modifications to the Board, and maintain the Charter School's final Title II self-evaluation document and keep it available for public inspection.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Principal if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Cross Reference: 5250

Certificated Staff Grievances

Legal Reference : Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

Policy History:

Adopted on: 2012.01.05

Revised on: 2020.01.16

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, principals 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 address the matter as described in Policy 3085 and Procedure 3085P. An individual with a complaint alleging a violation of this policy which does not fall within the scope of Policy 3085 and Procedure 3085P shall follow the Uniform Grievance Procedure.

Investigation

If an allegation of sexual harassment is found to not fall within the scope of Policy 3085 and Procedure 3085, but still claims conduct which violates this policy, 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 or her representative, if any;
3. Obtain signed statements of witnesses; and
4. Prepare a report of the investigation.

Confidentiality

Due to the damage that could result to the career and reputation of any person accused falsely or in bad faith 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, unless otherwise required by Policy 3085 or Procedure 3085P. In addition, all persons involved in an allegation which falls within the scope of this policy, and not within the scope of 3085 or 3085P are prohibited from discussing the matter with coworkers 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	Certificated Staff Grievances
	3085	Sexual Harassment, Discrimination and Retaliation Policy
	3085P	Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions

Legal References:	20 U.S.C. §§ 1681 - 82	Title IX of the Education Amendments of 1972
	42 U.S.C. § 2000(e), <i>et seq.</i>	Title VII of the Civil Rights Act of 1964
	29 C.F.R. § 1604.11	Sexual harassment
	I.C. § 33-5210(3)	Application of School Law - Accountability
		- Exemption from State Rules
	I.C. § 67-5909	Commission on Human Rights - Acts Prohibited

Policy History:

Adopted on: 2012.01.05

Revised on: 2020.01.16
Revised on: 2020.11.06
Reviewed on:

Liberty Charter School

PERSONNEL

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 Liberty Charter School.

Employee Signature

Employee Printed Name

Date

Policy History:

Adopted on: 1/5/2012

Revised on:

Liberty Charter School

PERSONNEL

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, that the procedures provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each certificated employee be assured an opportunity for orderly presentation and review of grievances without fear of reprisal.

Grievance Definition

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

Grievance Procedure

A 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 that complaints of sexual harassment should be addressed according to Policy 3085 and Procedure 3085P, and violation of any other protected status should be discussed with the first line administrator that is not involved in the alleged. 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 file the written grievance with their immediate building principal. The written grievance shall state:

1. The policy employee believes was 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 working days of the date of the initial event allegedly giving rise to the grievance.

The Administrator or his or her designee shall meet with the grievant and shall, at the discretion of the Administrator or designee, seek whatever additional documentation the Administrator deems appropriate, and 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 working days, the Administrator shall provide the grievant with a written response to the grievance of the certificated employee. If the grievant is not satisfied with the decision of the Administrator, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within five days of receiving the Administrator's decision. The Board is the policy-making body of the Charter School, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Administrator to the Board bears the burden of proving a failure to follow Board policy.

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 so long as received more than three days in advance of such meeting. If such is received within three days of such meeting, the Board may schedule a Special Meeting of the Board or alternatively such matter may be placed on the agenda for the next subsequently following Board Meeting. A decision shall be made and reported in writing to all parties within 30 days of that meeting. The decision of the Board will be final.

Grievances will be processed according to the step-by-step process outlined in the Uniform Grievance Procedure 4120, however, in the case where a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step and the process shall be modified as needed to meet the objectives of the Grievance Procedure. If a grievance is directly based on official Board action, the grievance shall be directed to the Clerk of the Board. The grievance may be heard by the Board at the sole discretion of the Board.

Cross Reference:	3085	Sexual Harassment, Discrimination and Retaliation Policy
	3085P	Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions

Policy History:

Adopted on: 2012.01.05

Revised on: 2019.11.13

Revised on: 2020.11.06

Reviewed on:

Abused and Neglected Child Reporting

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 School become knowledgeable and thoroughly educated as to their legal and ethical responsibilities regarding observation and reporting of suspected child abuse, child abandonment, or child neglect. The Administrator shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

"Abuse" is defined in I.C. § 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, or soft tissue swelling. Abuse is further defined in I.C. 16-1602 to include 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. Abuse also includes abandonment and neglect.

"Abandoned" is defined as the failure of the parent to maintain a normal parental relationship with his or her 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 year is evidence of abandonment.

"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 with these items;

-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 as defined above or who observes a child being subjected to conditions which would reasonably result in abuse, abandonment, or neglect shall report or cause to be reported such a case to local law enforcement or the Department of Health and Welfare within 24 hours.

Employees of the Charter School shall notify their supervisor immediately of the case. The supervisor shall immediately notify the Administrator or his or her designee, who shall also, 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 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports that a child has been abused, abandoned, or neglected in bad faith or with malice is not entitled to immunity from any civil or criminal liability that might otherwise be incurred or imposed, per I.C. § 16-1606.

In addition, according to I.C. § 16-1607:

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 attorney's 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.

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 and if the employee is a certificated professional employee, reporting to the Professional Standards Commission for possible violation of the Code of Ethics for Idaho Professional Educators.

Legal References:	I.C. § 16-1602	Child Protective Act: Definitions
	I.C. § 16-1605	Child Protective Act: Reporting of Abuse, Abandonment or Neglect
	I.C. § 16-1606	Child Protective Act: Immunity
	I.C. § 16-1607	Child Protective Act: Reporting in Bad Faith-Civil Damages
	I.C. § 33-5204A	Applicability of Professional Codes and Standards – Limitations upon Authority
	I.C. § 33-5210	Application of School Law – Accountability – Exemption from State Rules
	IDAPA 08.02.04.300	Public Charter School Responsibilities

Policy History:

Adopted on: 2012.01.05

Revised on: 2020.01.16

Reviewed on:

Employee Responsibilities Regarding Student Harassment, Intimidation, 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:

- a. Correct the problem behavior;
- b. Prevent another occurrence of the problem;
- c. Protect and provide support for the victim of the act; and
- d. 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:

- a. School philosophy regarding school climate and student behavior expectations;
- b. Definitions of harassment, intimidation, and bullying with specific examples;
- c. School prevention strategies or programs including the identification of materials to be distributed annually to students and parents;
- d. Expectations and examples of staff intervention to harassment, intimidation, and bullying; and
- e. 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 Principal 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 Principal 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:

Revised on:

Liberty Charter School

PERSONNEL

5270

Report of Suspected Child Abuse, Abandonment or Neglect

Original to: Local Law Enforcement _____
Department of Health and Welfare _____
Copy to: Administrator _____

From: _____ Title: _____

School: _____ Phone: _____

Persons contacted: ☐ Principal ☐ Teacher ☐ School Nurse ☐ Other

Name of Minor: _____ Date of Birth: _____

Address: _____ Phone: _____

Date of Report: _____ Attendance Pattern: _____

Father: _____ Address: _____ Phone: _____

Mother: _____ Address: _____ Phone: _____

Guardian or 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: _____

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 Charter School's own network of communication.

School employees who are contacted by the media should direct such inquiries to either the individual in question or to the principal, his or her designee, or to **Gayle O'Donahue, 208.466.7952**.

The Administrator(s) may set forth specific rules and regulations governing an employee's conduct on the job. The Administrator may also set forth specific behavioral expectations consistent with the Harbor School Method governing an employee's conduct on the job. The cornerstone to the Harbor Method is the culture which expects all employees to model what is expected from students in terms of attitude and effort. Gossip has no place in a Harbor School.

Personnel Conflict of Interest

It is not uncommon for a Charter School to employ people who are related to one another or romantically involved with one another. However, it is inappropriate for one family member or romantic partner to have direct influence over the other's conditions of employment (i.e., salary, hours worked, shifts, evaluation, etc.).

For the purpose of this policy, family member or romantic partners are defined as spouse,

domestic partner, daughter, son, parent, grandparent, grandchild, sister, brother, mother-in-law, father-in-law, daughter-in-law, or son-in-law.

In any case, when employees are unsure about a potential conflict, they should fully disclose the circumstances in writing to their supervisor. If one family member or romantic partner has influence over another family member or romantic partner's conditions of employment, the following should occur:

1. In collaboration with the supervisor, the involved employees will be provided 30 days to make a decision regarding a change. Options include, but are not limited to:
 - A. One employee applying to transfer to another area; or,
 - B. Revising the reporting structure in the department so that one employee no longer has direct influence over the other employee's conditions of employment; or
2. If a decision is not reached by the end of the thirty-day period, the department head, or next level of administrator, will resolve the situation.

Nothing in this policy shall require the Executive Director or Board, in the case when the conflict of interest directly relates to the Executive Director, to transfer an employee to a different position in an effort to avoid a conflict of interest if doing so would not be in the best interest of the Charter School.

Insubordinate Conduct

As the Harbor Method of instruction includes high expectations for student behavior as well as emphasizes character education for students, it is critical that all the adults in the school setting model and reinforce appropriate professional interactions. Accordingly, employees shall treat all Directors, Administrators, Supervisors and colleagues in an appropriate and professional manner.

Employees shall comply with all work-related orders, instructions, and directives issued by a proper authority. Insubordination; manifest disrespect; acts or language which hamper(s) the school's ability to control, manage, or function; displays of unacceptable modeling of rules for students or staff; or any other serious breaches involving improper attitudes or improper action toward persons in positions of authority are just cause for and may result in employee discipline, up to and including possible termination.

Examples of improper conduct include, but are not limited to:

1. Disobeying an appropriate order, instruction or directive of a supervising employee or administrator;
2. Refusing to accept a reasonable and proper work assignment or directive of a supervising employee or administrator;

3. Disputing or ridiculing authority;
4. Exceeding authority; and/or
5. Using vulgar or profane language to a supervising employee or administrator.

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: 2012.01.05

Revised on: 2018.06.14

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**

08.02.02 - 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. (4-11-06)

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 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. (4-11-06)

e. The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He 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. (4-11-06)

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 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. (4-11-06)

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 18-110 and Section 18-111, Idaho Code. All infractions (traffic) as defined by Section 18-113A, 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: (3-20-04)

- 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; (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, 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 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 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 school district 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, 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(10), 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 superintendent, 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. (4-11-06)

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. (3-20-04)

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. (3-20-04)

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 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: 1/5/2012

Revised on:

Liberty Charter School

PERSONNEL

5285

Solicitations

Solicitations By Staff Members

Teachers will not sell, solicit for sale, advertise for sale for personal gain any merchandise or service nor will teachers organize students for such purposes without the approval of the Administrator.

Solicitations Of Staff Members

No non-school organization may solicit funds from employees or distribute flyers related to fund drives through the schools without the approval of the Administrator.

Policy History:

Adopted on: 1/5/2012

Revised on:

PERSONNEL

5290

Political Activity - Staff Participation

The Board recognizes its individual employees' rights of citizenship, including, but not limited to, engaging in political activities. An employee of the Charter School may seek an elective office, or advocate for or against a political candidate or ballot measure, provided that the staff member does not campaign during instructional times or while they are responsible for other duties, or while they are in settings where they are likely to have contact with students; and provided all other legal requirements are met. "Ballot measure" includes, but is not limited to, bond or levy elections.

No person may attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

The Charter School shall not restrict constitutionally protected political speech of employees during non-instructional times in non-student contact settings, such as during duty-free periods in faculty break rooms and lounges during the school day or during afterschool events. Nothing in this section is intended to restrict the right of a School employee to express his or her personal constitutionally protected political views.

No Charter School employee may use for election or political campaigns, private or charitable organizations or foundations, or ballot issues any public facilities or equipment, including, but not limited to, telephones, fax machines, copy machines, computers, e-mail, etc., or supplies, including, but not limited to, paper clips, staples, pens, pencils, paper, envelopes, tape, etc., that are purchased with public funds.

No Charter School employee may work on election, political campaigns, ballot issues, or issues dealing with private or charitable organizations or foundations during the work day.

Legal Reference: Pub. L. 76-252 The Hatch Act of 1939
 Id. Const. art. III, § 1 Initiatives and Referenda
 I.C. § 74-601, *et seq.* Public Integrity in Elections Act

Policy History:

Adopted on: 2011.12.11

Revised on: 2018.11.08

Revised on: 2020.01.16