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Legacy Charter School
4015 S. Legacy Way
Nampa, ID 83686
208-467-0947
Fax: 208-467-0948

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, Legacy Charter School must request the applicant sign this form If the applicant refuses or fails to sign this form, Legacy 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 Legacy Charter School all information relating to
    a. The job performance and/or job related conduct of the applicant;
    b. Any pending or prior investigations of the employee;
    c. Any resignations during investigations or in lieu of contemplated disciplinary actions; and
    d. Disciplinary actions for misconduct involving the applicant

   It also authorizes these parties to 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;
2. Releases the applicant's/undersigned's current and past employers, and employees acting on behalf of the employer, from any liability for providing the above-mentioned information.

Pursuant to state law, "documentation related to the job performance or job related conduct of any employee/applicant is defined as, and may be limited by the producing district to include: all annual evaluations, letters of reprimand, letters of direction, letters of commendation or award, disciplinary actions and documentation of disciplinary investigations, recommendations for probation, notices of probation, notices of removal from probation, recommendations for termination or nonrenewal, notices of termination or nonrenewal, notices from the professional standards commission of Idaho or any other such similar state agency of action taken against an individual's certificate and any rebuttal documentation filed by the employee relative to any of the above documents." IC § 33-1210(2)(b)

§ 33-1210 RELEASE:

I understand that the above requirements are a condition of my obtaining employment with Legacy 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 Legacy 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 Legacy 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 Legacy 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, Legacy 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 Legacy Charter School for any length of time or pursuant to any additional conditions.

Policy History:
Adopted on 2011.12.15
Revised on: 2026.08.20

Legacy Charter School
4015 S Legacy Way
Nampa, ID 83686
208-467-0947
Fax: 208-467-0948

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 Legacy Charter School. This individual has identified your School as a prior employer. Accordingly, we are requesting that you please provide to Legacy 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:

Legacy Charter School
4015 S. Legacy Way
Nampa, ID 83686
admin@legacycharterschool.net

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: December 15, 2011
Revised on:

Legacy Charter School

PERSONNEL **5101**

School Specific Teaching Certificates

Legacy Charter School, #478 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 Legacy 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 Legacy 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:

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: January 19, 2023
Revised on:
Reviewed on:

Legacy Charter School

PERSONNEL **5120**

Equal Employment Opportunity and Non-Discrimination

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

The Charter School will make reasonable accommodation for an individual with a disability known to the 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:

	5250	Certificated Staff Grievances

Legal References:	Pub. L. 99–603	Immigration Reform and Control Act of 1986
	20 U.S.C. §§ 1681 - 1682	Title IX of the Education Amendments of 1972
	29 U.S.C. § 206(d)	Equal Pay Act of 1963 -Prohibition of Sex Discrimination
	29 U.S.C. §§ 621-34	Age Discrimination in Employment Act of 1967
	29 U.S.C. § 701, *et seq*.	Section 504 of the Rehabilitation Act of 1973
	42 U.S.C. §§ 2000(e), *et seq*.	Title VII of the Civil Rights Act of 1964
	42 U.S.C. §§ 12101, *et seq*.	Title I of the Americans with Disabilities Act of 1990
	29 C.F.R. Part 1601	Implementing Title VII of Civil Rights Act
	29 C.F.R. § 1604.10	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: December 15, 2011
Revised on: February 18, 2016
Revised on: February 20, 2020

Legacy Charter School

PERSONNEL **5207**

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.

<u>Policy History:</u>
Adopted on: November 19, 2020
Revised on:

PERSONNEL

Student Escort to Prep Classes

All first through eighth grade certified teachers will escort their class to lunch and all preps, and remain until the students are seated and quiet.

RATIONALE:
Student behavior problems frequently occur during transition times when students feel less supervised.
The authority a teacher represents encourages better student behavior.

Policy History:
Adopted on: April 18, 2024
Reviewed on:

Legacy Charter School

PERSONNEL **5220**

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:

6100 Principal

Policy History:

Adopted on: December 15, 2011
Revised on: December 19, 2019
Revised on: February 20, 2020

Legacy Charter School

PERSONNEL **5240**

Sexual Harassment/Sexual Intimidation in the Workplace

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

The Charter School shall do everything in its power to provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by State and federal law. In addition, 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), *et seq*.	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

<u>Policy History:</u>

Adopted on: December 15, 2011
Revised on: February 20, 2020
Revised on: November 19, 2020
Reviewed on:

Legacy 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 Legacy Charter School.

_____
Employee Signature

_____
Employee Printed Name

_____
Date

Policy History:
Adopted on: December 15, 2011
Revised on:

Legacy 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 grievance. 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: December 15, 2011
Revised on: December 19, 2019
Revised on: November 19, 2020
Reviewed on:

Legacy Charter School

Legacy Charter School

PERSONNEL **5260**

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. At the start of every year, the Administrator shall review with staff the legal requirements concerning suspected child abuse.

"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 their 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. IC § 16-1602(2)

"Neglected" means a child:

> *Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them with these items;*
>
> -I.C. § 16-1602(25).

A Charter School employee who has reasonable cause to suspect that a student may have been 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 their 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. The School shall not conduct its own review or investigation of alleged abuse, abandonment, or neglect of a child in lieu of reporting to law enforcement as required by IC 16-

1605. The School may conduct its own internal review or investigation and may take administrative or employment action in addition to reporting the alleged abuse abandonment, or neglect.

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

<u>Policy History:</u>
Adopted on: 2011.12.15
Revised on: 2020.02.20
Revised on: 2026.08.20

Legacy 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:

Legacy Charter School

PERSONNEL **5280**

Personal Conduct

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

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

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

Administrators may set forth specific rules and regulations governing an employee's conduct on the job. The Administrators 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 emphasized character education for students, it is critical that all the adults in the school setting model and reinforce appropriate professional interactions for our students. Accordingly, employees shall treat all Directors, Administrators, Supervisors, and colleagues in an appropriate 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: December 15, 2011
Revised on: June 21, 2018

Legacy 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: December 15, 2011
Revised on:

Legacy Charter School

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: December 15, 2011
Revised on: November 15, 2018
Revised on: February 20, 2020

Legacy Charter School

PERSONNEL **5325**

Employee Use of Social Media Sites, Including Personal Sites

Because of the unique nature of social media sites, such as Facebook and Twitter, and because of the Charter School's desire to protect its interest with regard to its electronic records, the following rules have been established to address social media site usage by all employees:

Protect Confidential and Proprietary Information

Employees shall not post confidential or proprietary information about the Charter School, its employees, students, agents, or others. The employee shall adhere to all applicable privacy and confidentiality policies adopted by the School or as provided by State or federal law.

Do Not Use the Charter School's Name, Logos, or Images

Employees shall not use the Charter School logos, images, iconography, etc. on personal social media sites.

Employees shall not use the School name to promote a product, cause, political party, or political candidate. However, BMD, Inc. and Harbor School founder Rebecca Stallcop may use the Legacy Charter school name to promote the Harbor School Method.

Employees shall not use Legacy personal images of students, names, or data relating to students, absent written authority of the parent of a minor or authority of an adult or emancipated student.

Respect Charter School Time and Property

Charter School computers and time on the job are reserved for Legacy Charter School-related business. Employees shall not use School time or property on personal email or social media sites.

On Personal Sites

At all times employees are expected to maintain a presence online and in social media that reflects the mission of Legacy Charter School. Do not post opinions and images which could undermine trust in the teaching profession and the Harbor Method. Messages or postings that include sexually explicit, profane, lewd, indecent, or inappropriate language or pictures is prohibited. Messages or pictures promoting inappropriate alcohol or illegal drug use are prohibited.

It should be clear that anything posted may be ultimately seen by the Board of Trustees, parents, and community members because pictures posted, and opinions expressed by staff on a social

networking website have the potential to be disseminated far beyond the speaker's desire or intention, and could undermine the public perception of fitness of the individual to educate students, and thus undermine teaching effectiveness, and harm the reputation of the school. In this way, the effect of the expression and publication of such pictures and opinions could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of the contract of employment.

Keep Personal and Professional Accounts Separate

Staff members who decide to engage in professional social media activities will maintain separate professional and personal email addresses.

Staff members will not use their Charter School email address for personal social media activities. Use of School email for this purpose is prohibited and will be considered a violation of Charter School policy that may result in disciplinary action.

Contact with Students

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Pursuant to the Code of Ethics for Idaho Professional Educators, individuals shall maintain a professional relationship with all students, both inside and outside of the classroom. Excessive informal or social involvement with students is therefore prohibited. This includes:

1. Listing current students as "friends" on networking sites wherein personal information is shared or available for review which results in the certificated professional employee not maintaining the Code of Ethics, which requires professional relationships with students both inside and outside the classroom;

2. Contacting students through electronic means other than the Charter School's email and telephone system;

3. Coaches electronically contacting a team member or members without including all team members in the communication;

4. Giving private cell phone or home phone numbers to students without prior approval of the Charter School; and

5. Inappropriate contact of any kind including via electronic media.

Nothing in this policy prohibits Charter School staff and students from the use of education websites or use of social networking websites created for curricular, co-curricular, or extracurricular purposes where the professional relationship is maintained with the student.

Failure to maintain a professional relationship with students, both inside and outside of a classroom setting, including interaction via social networking websites of any nature, e-mailing, texting, or any other electronic methods will result in the required reporting of such conduct to the Professional Standards Commission by the Charter School's Administration and may result in employment action up to and including possible termination.

Rules Concerning Charter School-Sponsored Social Media Activity

If an employee wishes to use Facebook, Twitter, or other similar social media sites to communicate meetings, activities, games, responsibilities, announcements etc., for a School-based club or a School-based activity or an official School-based organization, the employee must also comply with the following rules:

1. The employee must set up the club, activity, etc. as a group list which will be "closed and moderated";

2. The employee must set up mechanisms for delivering information to students who are not members of the group via non-electronic means;

3. Members will not be established as "friends" but as members of the group list;

4. Anyone who has access to the communications conveyed through the site may only gain access by the permission of the employee. Persons desiring to access the page may join only after the employee invites them and allows them to join;

5. Parents shall be permitted to access any site that their child has been invited to join **and at least one parent/guardian of each student who is a group member must also be a member of the group]**. Parents shall report any communications by students or school personnel they believe to be inappropriate to Charter School administration;

6. Access to the site may only be permitted for educational purposes related to the club, activity, organization, or team;

7. The employee responsible for the site will monitor it regularly;

8. The Administrator shall be permitted access to any site established by the employee for a School-related purpose;

9. Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such Charter School-sponsored social media activity. This includes maintaining a separation between the School activity pages and employees' personal social media profiles and pages; and

10. The Administrator reserves the right to shut down or discontinue the group if they believe it is in the best overall interest of the students.

Cross References:		
	3270P	Acceptable Use of Electronic Networks
Legal References:	IC § 18-6726	TikTok Use by State Employees on a State-Issued Device Prohibited
	IC § 33-5204A	Applicability of Professional Codes and Standards – Limitations upon Authority
	IDAPA 08.02.02.076	Code of Ethics for Idaho Professional Educators Idaho Executive Order 2022-06

Policy History:
Adopted on: 2011.12.15
Revised on: 2023.05.18
Revised on: 2025.01.16
Revised on: 2025.08.21
Reviewed on:

Legacy Charter School

PERSONNEL **5330**

Employee Email and Online Services Usage

Legacy Internet access and interconnected computer systems may be available to the Charter School's faculty. Electronic networks, including the internet, are a part of the School's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

Staff may, consistent with the computer use policies of the School and the School's educational goals and Charter, use internet sites throughout the curriculum.

The Charter School email and internet systems are provided for educational purposes only. Legacy School's electronic network is part of the curriculum and is not a public forum for general use.

Uses

Use for other informal or personal purposes is permissible within reasonable limits provided it does not interfere with work duties and complies with Charter School policy. All email and internet records are considered School records and should be transmitted only to individuals who have a need to receive them and only relating to educational purposes. Staff have no expectation of privacy in any materials that are stored, transmitted, or received via the Charter School's electronic network or School computers/technology. The Charter School reserves the right to access, monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of the computer network and internet access and any and all information transmitted or received in connection with such usage, including email and instant messages.

Unacceptable Uses of Network

The following are considered examples of unacceptable uses and constitute a violation of this policy. Additional unacceptable uses can occur other than those specifically listed or enumerated herein:

1.Uses that violate the law or encourage others to violate the law including local, State, or federal law; accessing information pertaining to the manufacture of weapons; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials;

2.Uses that cause harm to others or damage their property, person, or reputation, including but not limited to engaging in defamation; employing another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating; reading or sharing another person's communications or personal information; or

otherwise using their access to the network or the internet;

3.Uploading a worm, virus, other harmful form of programming or vandalism; participating in hacking activities or any form of unauthorized access to other computers, networks, or other information. Staff will immediately notify the school's system administrator if they have identified a possible security problem.

4.Downloading the TikTok app or visiting the TikTok website;

5.Uses amounting to harassment, sexual harassment, bullying, or cyber-bullying (defined as using a computer, computer system, or computer network to convey a message in any format that is intended to harm another individual);

6.Uses that jeopardize the security of access and of the computer network or other networks on the internet;

7.Uses that waste Charter School resources;

8.Uses that are commercial transactions, including commercial or private advertising;

9.The promotion of election or political campaigns, issues dealing with private or charitable organizations or foundations, ballot issues, or proselytizing in a way that presents such opinions as the view of the Charter School;

10.Sending, receiving, viewing, or downloading obscene materials, materials harmful to minors, materials that depict the sexual exploitation of minors, or other inappropriate materials;

11.Sharing one’s password with others or allowing them to use one’s account;

12.Downloading, installing, or copying software or other files without authorization of the Administrator or the Administrator’s designee;

13.Posting or sending messages anonymously or using a name other than one’s own;

14.Attempting to access the internet using means other than the Charter School network while on campus or using School property;

15.Sending unsolicited messages such as advertisements, chain letters, junk mail, and jokes;

16.Sending emails that are libelous, defamatory, offensive, or obscene;

17.Notifying patrons or the public of the occurrence of a school election by providing anything other than factual information associated with the election such as location, purpose, etc. Such factual information shall not promote one position over another;

18.Forwarding or redistributing the private message of an email sender to third parties or giving the sender's email address to third parties without the permission of the sender; and/or

19.Downloading or disseminating copyrighted or otherwise protected works without permission or license to do so.

Records

Charter School records, including email and internet records may be subject to public records requests, disclosure to law enforcement or government officials, or to other third parties through subpoena or other processes. The Administrator or their designee may review any and all email of any employee, at any time, with or without cause. Consequently, employees should always ensure that all information contained in email and internet messages is accurate, appropriate, and lawful. When sending student records or other confidential information by email, staff shall be aware of the security risks involved and shall take all steps directed by the Internet Safety Coordinator to reduce such risks.

The Internet Safety Coordinator shall provide direction to staff on how to send student records or other confidential information by email in a secure manner.

When communicating with students and parents by email, employees should use their Charter School email rather than a personal email account. Email and internet messages by employees may not necessarily reflect the views of Legacy School. Abuse of the email or internet systems, through excessive and/or inappropriate personal use, or use in violation of the law or School policies, will result in disciplinary action, up to and including termination of employment.

Privacy

While Legacy Charter School does not intend to regularly review employees' email and internet records, employees have no right or expectation of privacy in Legacy use of email or the internet via devices or internet access provided by the School, and the School may review any and all email/electronic communications of any employee, at any time, with or without cause. Depending upon content, email and internet communications may potentially be disclosed to any member of the public through a public records request.

Internet Access Conduct Agreements

Each staff member will be required to sign the Procedure 5330F Employee Email and Online Services Use Policy Acknowledgment upon the adoption of this policy or upon hiring.

Warranties/Indemnification

The Charter School makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. The School is not responsible for any information that may be lost, damaged, or

unavailable when using the network, or for any information that is retrieved or transmitted via the internet. The Charter School will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the School and shall indemnify and hold the Charter School, its Board Members, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user.

Violations

If any staff member violates this policy, they may be subject to disciplinary action. The system administrator and/or the Internet Safety Coordinator and/or the building principal will make all decisions regarding whether or not a user has violated this policy and any related rules or regulations. Actions which violate local, State, or federal law may be referred to the local law enforcement agency.

Cross References:	5290	Political Activity-Staff Participation
	5325	Employee Use of Social Media Sites, Including Personal Sites
Legal References:	IC § 18-6726	TikTok Use by State Employees on a State-Issued Device Prohibited
	Idaho Executive Order 2022-06	
	Idaho Attorney General Opinion No. 95-07	
	Board of County Commissioners v. Idaho Health Facilities Authority, 96 Idaho 498 (1975)	

Policy History:
Adopted on: December 15, 2011
Revised on: May 18, 2023
Reviewed on:

Legacy Charter School

PERSONNEL **5340**

Evaluation of Certificated Personnel

The Charter School has a firm commitment to performance evaluation of Charter School personnel, through the medium of a formalized system. The primary purpose of such evaluation is to assist personnel in professional development, in achieving School goals, and to assist with decisions regarding personnel actions. This policy applies to certificated personnel, but the Charter School shall differentiate between non-instructional and pupil instructional personnel. The Principal is hereby directed to create procedures that differentiate between certificated non-instructional and certificated pupil instructional personnel in a way that aligns with the *Charlotte Danielson Framework for Teaching Second Edition* to the extent possible and aligns to the pupil service staff's applicable national standards.

Each certificated staff member shall receive at least one written evaluation to be completed by no later than June 1st for each annual contract year of employment and shall use multiple measures that are research based and aligned to the *Charlotte Danielson Framework for Teaching Second Edition* domains and components. The evaluation of certificated personnel shall annually include a minimum of two documented observations, one of which shall be completed prior to January 1st. In situations where certificated personnel are unavailable for two documented classroom observations, due to situations such as long-term illness, late year hire, etc., one documented classroom observation is acceptable.

Objectives

The formal performance evaluation system is designed to:

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

Responsibility

The Principal or their designee shall have the overall responsibility for the administration and monitoring of the performance evaluation program and shall ensure the fairness and efficiency of its execution, including:

1. Distributing proper evaluation forms in a timely manner;

2. Ensuring completed evaluations are returned for filing by a specified date;

3. Reviewing evaluations for completeness;

4. Identifying discrepancies;

5. Ensuring proper safeguards and filing of completed evaluations;

6. Creating and implementing a plan for ongoing training for evaluators and certificated personnel on the Charter School's evaluation standards, forms, and processes and a plan for collecting and using data gathered from evaluations;

7. Creating a plan for ongoing review of the Charter School's performance evaluation program that includes stakeholder input from teachers, Board Members, administrators, parents/guardians, and other interested parties;

8. Creating a procedure for remediation for employees that receive evaluations indicating that remediation would be an appropriate course of action; and

9. Creating an individualized evaluation rating system for how evaluations will be used to identify proficiency and record growth over time with a minimum of four ratings used to differentiate performance of certificate holders including: unsatisfactory being equal to a rating of 1; basic being equal to a rating of 2; and proficient being equal to a rating of 3.

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

1. Continuously observing and evaluating an employee's job performance including a minimum of two documented observations annually for certificated personnel, one of which shall be completed prior to January 1st of each year; (In a Harbor School, teachers are observed by their principals a *minimum* of once *weekly*. To be fair and consistent, principals will use the same Observation Record to document teacher observations);

2. Holding periodic counseling sessions with each employee to discuss job performance;

3. Completing Performance Evaluations as required; and

The individuals assigned this responsibility shall have received training in conducting evaluations based on the statewide framework for evaluations within the immediate

previous five years of conducting any evaluations.

Written Evaluation

A written summative evaluation will be completed for each certificated employee by June 1st. A copy will be given to the employee. The record of the evaluation will be kept in the employee's personnel file. The evaluation should be reviewed annually and used to assist in the development of annual goals and objectives. The evaluation is designed to increase planning and relate performance to assigned responsibilities through joint understanding between the evaluator and the employee as to the job description and major performance objectives.

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

Evaluation Measures

Observations: Periodic classroom observations will be included in the evaluation process with a minimum of two documented observations annually for certificated personnel, one of which shall be completed prior to January 1st. In situations where certificated personnel are unavailable for two documented classroom observations, due to situations such as long-term illness, late year hire, etc., one documented classroom observation is acceptable.

Professional Practice: A majority of the evaluation of certificated personnel will be comprised of Professional Practice based on the *Charlotte Danielson Framework for Teaching Second Edition*. The evaluation will include at least one of the following as a measure to inform the Professional Practice portion: input received from parents/guardians, input received from students, and/or portfolios. The Charter School has chosen **student input gathered and documented from the annual Advanc-Ed student survey** as its measure(s) to inform the Professional Practice portion. The Board shall determine the manner and weight of parental input, student input, and/or portfolios on the evaluation.

Student Achievement: Instructional staff evaluation ratings must, in part, be based on measurable student achievement as defined in Section 33-1001, Idaho Code, applicable to the subjects and grade ranges taught by the instructional staff. All other certificated staff evaluations must include measurable student achievement or student success indicators as applicable to the position. This portion of the evaluation may be calculated using current and/or the immediate past year's data and may use one or both years' data. Growth in student achievement may be considered as an optional measure for all other school-based and Charter School-based staff, as determined by the Board.

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

Individuals who hold a Professional or Advanced Professional Endorsement will be evaluated annually.

The School shall evaluate these employees on the basis of all of the domains.

All other instructional or pupil service staff employees must also be evaluated across all domains.

- Planning and Preparation
    - Demonstrating Knowledge of Content and Pedagogy;
    - Demonstrating Knowledge of Students;
    - Setting Instructional Outcomes;
    - Demonstrating Knowledge of Resources;
    - Designing Coherent Instruction; and
    - Designing Student Assessments.
- Classroom Learning Environment
    - Creating an Environment of Respect and Rapport;
    - Establishing a Culture for Learning;
    - Managing Classroom Procedures;
    - Managing Student Behavior; and
    - Organizing Physical Space.
- Instruction and Use of Assessment
    - Communicating with Students;
    - Using Questioning and Discussion Techniques;
    - Engaging Students in Learning;
    - Using Assessment in Instruction; and
    - Demonstrating Flexibility and Responsiveness.
- Professional Responsibilities
    - Reflecting on Teaching;
    - Maintaining Accurate Records;
    - Communicating with Families;
    - Participating in a Professional Community, contributing to school/District;
    - Growing and Developing Professionally; and
    - Showing Professionalism.

<u>Meeting with the Employee</u>

Counseling Sessions: Counseling sessions between supervisors and employees may be scheduled periodically. During these sessions, an open dialogue should occur which allows the exchange of performance oriented information. The employee should be informed of how they

have performed to date. If the employee is not meeting performance expectations, the employee should be informed of the steps necessary to improve performance to the desired level. Counseling sessions should include, but not be limited to, the following: job responsibilities, performance of duties, progress on goals, and attendance. A memorandum for record will be prepared following each counseling session and maintained by the supervisor.

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

1. Discuss the evaluation with the employee, emphasizing strong and weak points in job performance. Commend the employee for a job well done if applicable and discuss specific corrective action if warranted. Set mutual goals for the employee to reach before the next performance evaluation. Recommendations should specifically state methods to correct weaknesses and/or prepare the employee for future promotions.

2. Allow the employee to make any written comments they desire. Inform the employee that they may turn in a written rebuttal/appeal of any portion of the evaluation within seven days and outline the process for rebuttal/appeal. Have the employee sign the evaluation indicating that they have been given a copy and initial after supervisor's comments.

No earlier than seven days following the meeting, if the supervisor has not received any written rebuttal/appeal, the supervisor will forward the evaluation in a confidential manner to the Principal, or the designee, for review. The supervisor will also retain a copy of the completed form.

Individualized Professional Learning Plan

Each certificated staff member shall have an individualized professional development plan based on the Idaho framework for teaching evaluation outlined in IDAPA 08.02.02.120 and developed by the staff member and their evaluator. This plan shall include interventions based on the individual's strengths and areas the staff member and their evaluator seek to emphasize of needed growth.

Rebuttals/Appeal

Within seven days from the date of the evaluation meeting with their supervisor, the employee may file a written rebuttal/appeal of any portion of the evaluation. The written rebuttal/appeal shall state the specific content of the evaluation with which the employee disagrees, a statement of the reason(s) for disagreement, and the amendment to the evaluation requested.

If a written rebuttal/appeal is received by the supervisor within seven days, the supervisor may conduct additional meetings or investigative activities necessary to address the rebuttal/appeal. Subsequent to these activities, and within a period of ten working days, the supervisor may

provide the employee with a written response either amending the evaluation as requested by the employee or stating the reason(s) why the supervisor will not be amending the evaluation as requested.

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

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

Action

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

Records

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

Reporting

Any subsequent changes to the Charter School's evaluation system shall be resubmitted to the State Department of Education for approval. The Charter School shall report annually to the State Department of Education:

1. The summative rankings;
2. The number of components rated as unsatisfactory;
3. The percentage of the certificated personnel's students met their measurable student achievement or growth targets or student success indicators;
4. The measures were used; and
5. Whether an individualized professional learning plan is in place for all certificated personnel evaluations.

Legal References:	IC § 33-1001	Foundation Program — State Aid — Apportionment – Definitions
	IDAPA 08.02.02.120	Local District Evaluation Policy — Instructional Staff and Pupil Service Staff Certificate Holders

Policy History:
Adopted on: December 15, 2011
Revised on: June 21, 2012
Revised on: June 21, 2016
Revised on: September 15, 2016
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Revised on: June 15, 2017
Revised on: February 15, 2018
Revised on: February 20, 2020
Revised on: May 18, 2023

Legacy Charter School

PERSONNEL **5350**

Certified Personnel Resignation (Release from Contract)

Applicants for teaching positions with Legacy Charter School who are issued a contract and employees who are on contract should recognize that their contract with the School carries responsibilities. Certified personnel will generally be expected to fulfill the terms of their contract unless:

1. There are clearly compelling, mitigating circumstances which prevent the certified or exempt individual from doing so; and
2. Until such time as the Board releases the certified individual from the terms of the contract upon the recommendation of the Administrator or her is her designee.

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

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

A determination of availability of a suitable replacement will be made by the Administrator before recommendation will be made to the Board that the employee be released from contract. If, in the judgment of the Administrator, there is not a suitable replacement, a recommendation will be made that the Board NOT release the employee from contract.

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

Classified Personnel

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

All resignations should be in writing. The Board has delegated authority to the Administrator to accept such resignations, and the Board will subsequently be provided notice as part of the regular personnel report.

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

Legal Reference(s):	IDAPA 08.02.02.076.09	Code of Ethics for Idaho Professional Educators - Principle VIII - Breach of Contract or Abandonment of Employment.
	I.C. § 72-1366	Employment Security Law - Personal Eligibility Conditions

Policy History:
Adopted on: December 15, 2011
Revised on: February 20, 2020
Reviewed on

Legacy Charter School

PERSONNEL **5360**

Dress and Appearance

"One of the reasons we have schools is for students to learn what is appropriate. Young people learn what is appropriate in society by looking at their adult role models. Your dress and your behavior are what young people will take to be appropriate." Harry K. Wong

As professionals in our schools, we realize and value the public's perception of our roles as mentors and models for students. As a "School to Work" school we expect employees to model professional and work appropriate dress. We, therefore, set in policy the following outline of "reasonable expectations" for all professional staff.

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

DRESSING UP IS ENCOURAGED

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

Males

- Pinpoint or button-down dress shirts and necktie
- Slacks or khakis/Docker-type slacks
- Dress shoes, boots, casual shoes
- Socks
- Neckties or turtleneck with blazer
- Business suit
- Sport coat or sweater
- Blue jeans only on Community Service Day or field trip days.

Females

- Business suit
- Jumpers, dresses, skirts of appropriate professional fit (Denim/Chambray fabric acceptable), must be no more than three inches above the top of the knee and provide coverage when the employee bends over at the waist.
- Slacks or khaki/Dockers-type slacks
- Dress shoes, casual shoes, boots
- Blouses, knit shirts, cotton shirts, sweaters must cover cleavage (neckline should be higher than the straight line from top of underarm to top of underarm, must reach below

the beltline to cover the stomach, must cover the shoulders, and may not have armholes open below the armpit area.

- School polo style knit shirts
- Dress shorts/skorts of appropriate professional fit and must be no more than three inches above the top of the knee and provide coverage when the employee bends over at the waist.
- Knit dress pants with tunic length top
- Dress "crop slacks" that are loose fitting
- Blue jeans only on Community Service Day or field trip days

Inappropriate/Unacceptable Attire

- Backless, see-through, tight fitting, or low-cut blouses/tops/dresses
- T-shirts, lycra, spandex, midriff tops, tank tops, muscle shirts, sleeves that do not cover the shoulders or stomach
- Cut-off/Jeans shorts
- Sweatpants
- Coaching shorts, spandex (shorts or pants) of any length
- Blue Jeans
- Mini-skirts
- Jogging suits
- Denim overalls
- Apparel with offensive logos
- Hats, bandanas, stocking caps and hairnets are prohibited during school instructional hours.
- Hair color will be within the natural hair color spectrum (brown, black, blonde or auburn). Hair styles should be kept to a single, solid hair color. Conservative transitions in hair color may be allowed, subject to the approval of the administrator. Patterns, shapes, words, or other designs are not permitted.
- Visible tattoos. Temporary and permanent tattoos must be concealed during school hours. (Medical tattoos may be allowed with approval by the administrator.)
- No facial rings of any kind are allowed
- Nose studs larger than 2.5 mm are not allowed
- Earrings are acceptable with the exception of ear gauges. Ear gauges are not allowed.
- Clothing that includes sexually suggestive or obscene statements, is not allowed.
- Clothing that includes political statements of any type is not allowed (LCS is a closed forum)

EXCEPTIONS

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

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

ENFORCEMENT

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

Policy History:
Adopted on: 2011.12.15
Revised on: 2015.06.18
Revised on: 2021.11.18
Revised on: 2024.04.18
Revised on: 2026.04.16

Legacy Charter School

PERSONNEL **5380**

Professional Research and Publishing

The Board considers that the school system has proprietary rights to publications, instructional materials and devices prepared by employees during their paid work time. However, the Board also recognizes the importance of encouraging its professionals' writing, research and other creative endeavors.

When original materials are developed by employees or staff committees during working time, or as part of regular or special assignments for which they are paid, the school system will have sole rights in matters of publication or reproduction; however, identity of the employee(s) who created the materials will be clearly recognized and noted.

In situations where the proprietary rights to material is in doubt—as, for example, when original instructional materials have been developed partially during working time or as part of a paid assignment, and partially during the staff member's own time—arrangements will be made for the appropriate assignment of rights and any profits.

Cross-reference:

Policy History:
Adopted on: December 15, 2011
Revised on:

Legacy Charter School

PERSONNEL **5390**

Employment Referrals and Prevention of Sexual Abuse

All employees, contractors, and agents of the Charter School are prohibited from providing any recommendation for employment or otherwise helping an employee, contractor, or agent of the Charter School in obtaining a job if they know or have probable cause to believe the individual has engaged in sexual misconduct with a student or minor in violation of the law.

This prohibition does not include following routine procedures regarding the transmission of administrative or personnel files.

These prohibitions shall not apply to cases in which the alleged misconduct was properly reported to law enforcement and any other authorities required by federal, state, or local law; and

1. The matter was officially closed;

2. The prosecutor or police with jurisdiction over the case investigated the allegations and notified Charter School officials that there is insufficient information to establish probable cause that the individual engaged in sexual misconduct with a minor or student in violation of the law;

3. The individual alleged to have engaged in sexual misconduct with a student or minor has been charged with and acquitted or otherwise exonerated of the sexual misconduct; or

4. The case or investigation has remained open and no indictment or other charges have been brought within four years of the date on which the information was provided to law enforcement.

Legal Reference: 20 USC § 7926 Prohibition on Aiding and Abetting Sexual Abuse

Policy History:
Adopted on: December 19, 2019
Revised on:
Reviewed on:

Legacy Charter School

PERSONNEL **5395**

Whistleblowing

The Board of Directors expects employees of the Charter School to be trustworthy and to conduct themselves in an honorable manner, abiding by all School policies and procedures and by all applicable State and federal laws and administrative rules.

When Charter School employees know or have reasonable cause to believe that serious wrongful conduct has occurred, they should report such wrongful conduct to the Administrator or designee or his or her designee.

For the purposes of this policy, the term "wrongful conduct" shall mean:

1. Theft or misuse of Charter School funds, property, or resources;
2. Fraud;
3. Violation of federal and state laws or administrative rules; and/or
4. Material violation of School policy or procedure aimed at protecting the health and safety of staff and students.

Disclosure and Investigation

Employees who know or have reasonable cause to believe that wrongful conduct has occurred shall report such activity to the Administrator or designee or his or her designee. Upon receiving a report of wrongful conduct, the Administrator or designee or designee shall take immediate steps to conduct an investigation.

If the person alleged to have committed the wrongful conduct is the designee, the Administrator or designee shall conduct the investigation. If the person alleged to have committed the wrongful conduct is the Administrator or designee, the investigation shall be addressed in accordance with Policy 4120.

The Administrator or designee or designee shall maintain a written record of the allegation; conduct an investigation, refer the matter to law enforcement or other appropriate authorities, if applicable; and notify the Board of the allegation and of the results of the investigation.

The Administrator or designee or designee shall attempt to protect the identity of a whistleblower, provided that doing so does not interfere with the investigation of the allegations or with the taking corrective action.

Complaints of Retaliation

The Charter School shall not take adverse employment action against an employee who has notified the School of wrongdoing, allowing the School the opportunity to investigate and correct the misconduct. The School shall not take adverse action against an employee who has reported misconduct to another government agency or who has cooperated with an investigation of wrongful conduct. Likewise, School employees are prohibited from retaliating against an individual for these actions.

There shall be no adverse employment action or retaliation against an individual who refuses to carry out a directive which he or she believes constitutes a violation of state or federal law or administrative rule.

An employee who alleges they have been subject to retaliation in the form of adverse employment action may contest the action as specified in the appropriate employee grievance policy. The Charter School shall investigate any complaints of such retaliation and take immediate steps to stop any retaliation.

Charter School employees who have engaged in retaliation shall be subject to discipline, which may include dismissal.

These protections do not apply to cases in which an employee knew or reasonably ought to have known that the report is malicious, false, or frivolous.

Nothing in this policy is intended to interfere with legitimate employment decisions.

The Administrator or designee shall establish any procedures necessary to implement this policy.

This policy and any related procedures may be published in employee handbooks, posted in employee lounges, and/or given to all employees on an annual basis.

Cross References:	§ 5250	Certificated Staff Grievances
Legal Reference:	I.C. § 6-2101, *et seq*.	Protection of Public Employees

<u>Policy History:</u>
Adopted on: April 16, 2020
Revised on:
Reviewed on:

Legacy Charter School

PERSONNEL **5400**

Leaves of Absence

The Board has the authority to grant any employee's request for a leave of absence. A leave of absence may be at the request of the employee or may be done involuntarily by action of the Board. The Board may also delegate this authority to a designee.

Delegation of Authority

Through this policy, the Board has delegated this ongoing authority to the Principal, both with regard to acceptance of an employee's request for leave of absence as well as an action of placing a certificated employee on an involuntarily leave of absence.

Upon the Principal's action to place a certificated employee on a period of involuntary leave of absence, the Board shall ratify or nullify action of the Principal at the next regularly scheduled meeting of the Board or at a special meeting of the Board should the next regularly scheduled meeting of the Board not be within a period of 21 days from the date of the action. Whether such leave is with pay or without pay shall be determined when applying the appropriate principles of Section 33-513(7), Idaho Code.

The Principal is delegated the authority to address classified personnel leave without notification to the Board and is delegated authority to address classified personnel discipline and termination without Board approval.

Considerations for Involuntary Leave

If the Principal or Board is making a decision as to whether or not to place an employee on a period of involuntary leave of absence, some of the considerations in making such a decision may include:

1. Whether or not the conduct at issue involves a possible:

   A. Criminal act;
   B. Violation of the Code of Ethics for Idaho Professional Educators;
   C. A violation of federal or state education laws or regulations; or
   D. A violation of Charter School Policy and/or Procedure.

2. Whether or not the conduct at issue involves the health, welfare, or safety of the Charter School's students or employees.

3. Whether or not there is an event identified.

4. If the event involves an allegation of abuse of a student or minor, is there an "identified victim" or some other information that provides indicia of credibility.

5. If the event involves an allegation of abuse of a student or minor, is the report in question anonymous or are there any other indicia of credibility.

6. Whether or not there is an identified victim or identified event that the Charter School could investigate.

7. Whether or not there a concern that the presence of the employee on school property could be detrimental to the investigation process and/or a concern that the employee and/or the presence of the employee interfere with the investigation process.

8. Whether or not there is an ongoing/related criminal investigation associated with the same alleged event or allegations.

Sick Leave (Paid Leave)

"Sick Leave" means a leave of absence, with pay, for a sickness suffered by an employee or his or her immediate family. "Immediate family" shall mean the employee's spouse and children (including foster children and those for whom the employee is legal guardian) residing in the employee's household.

Nothing in this policy guarantees approval of the granting of Sick Leave in any instance. Each request for Sick Leave will be judged by Legacy Charter School in accordance with this policy and the needs of the Charter School.
Credited at the beginning of each employee's new employment year, each employee shall be granted one (1) day of Sick Leave for each month of service in which the employee works a majority portion of that month.

1. Certified employees shall be granted Sick Leave in accordance with Legacy Charter School Policy.
2. Classified employees working twenty (20) hours or more per week shall be granted Sick Leave and other leaves in accordance with state law.
    a. Classified employee Sick Leave shall be proportional to the work day of the classified employee.
3. Compensation shall not be provided for unused Sick Leave.
4. If qualifying, an employee may use accumulated sick leave for a pregnancy-related sickness.
    a. For traditional pregnancy leave, other than pregnancy-related sickness addressed above, an employee may utilize up to six (6) weeks of accumulated paid sick leave. From this sick leave, the employee will receive 75% of their salary. The remaining 25% will be expended from the employee's accumulated sick leave for use by the school in helping defray the costs associated with a substitute employee.

5. Upon approval by Administration, an exception may be allowed for an employee, within 2 years of retirement, to use Sick Leave while a replacement teacher is being trained.
6. Legacy Charter School, may in its discretion, require proof of illness when deemed appropriate, including but not limited to abuse of Sick Leave or false claims of illness.
7. It is understood that seniority shall accumulate while a teacher or employee is utilizing accumulated Sick Leave credits.
    a. Seniority will not accumulate unless an employee is in a paid status.
8. Abuse of Sick Leave is cause for discipline up to and including termination. Certificated personnel should be aware that falsifying, deliberately misrepresenting or deliberately omitting reasons for absence or leave is a violation of the Code of Ethics for Idaho Professional Educators.

Accrual of Unused Sick Leave

1. Employees may accumulate unused Sick Leave.
2. Upon retirement, an employee's accumulated unused Sick Leave must be reported by the Charter School to the public employee retirement system and will be addressed as per Idaho Code.

Bereavement Leave

A certified employee who has a death in the immediate family shall be eligible for Bereavement Leave.

1. The Principal shall have the authority to give Bereavement Leave for up to two (2) days.
    a. These two (2) days of Bereavement Leave shall be with pay. Any days in excess of the two (2) days shall be without pay, absent qualification of such leave for Sick Leave.
2. Bereavement Leave of greater than two (2) days must be approved by the Board.

Personal Leave (Unpaid Leave)

A certified employee will be granted up to two (2) days of Personal Leave, without pay, only in unusual circumstances and upon recommendation of the Administrator. Upon recommendation of the Administrator, and in accordance with law and Charter School policy, classified staff may be granted Personal Leave pursuant to the following conditions:

1. Personal Leave will be without pay unless otherwise stated.
2. Personal Leave will only be granted in units of half or full days.
3. Notice of at least one (1) week is required for any Personal Leave of less than one (1) week. Notice of one (1) month is required for any Personal Leave exceeding one (1) week.
    a. It is understood that in rare emergency situations, advance notice of the need for Personal \ Leave may not be possible. If an emergency situation arises, notice shall be provided to the school at the earliest possible opportunity.

4. The Administrator, with approval of the Board, shall have the flexibility, in unusual or exceptional circumstances, to grant Personal Leave to employees not covered by any other possible applicable leave under school policy.
5. Staff using Personal Leave shall not earn any sick leave or annual leave credit or any other benefits during the approved leave of absence.

The school's Administration may decline an employee's request for unpaid Personal Leave.

Abuse of Leave

The Board believes it is in the best interest of our students to have the student's regular teacher in the classroom as much as possible and has concern that the teacher's absence interferes with the quality of the educational program our school provides to our students.

In the event an employee violates or misuses any of the school's leave policies, or misrepresents any statement or condition with regard to the use of leave policies, such employee shall be subject to discipline up to and including possible termination.

With regard to Certificated personnel, falsifying, deliberately misrepresenting or deliberately omitting reasons for absences or leave may also trigger a violation of the Code of Ethics for Idaho Professional Educators and such employee may additionally be subject to reporting to the Professional Standards Commission.

Wedding of Immediate Family Members (Paid Leave)

Upon administrative approval, certified employees will be granted up to two (2) days paid leave to attend the wedding of an immediate family member, (parent, child, sibling or grandparent).

1. Notice of at least one (1) month is required to be provided to the Administrator by an employee seeking to utilize paid leave for a wedding of immediate family member.
2. The Administrator shall notify the employee within three (3) days of receipt of the Wedding of Immediate Family Members Leave request as to whether or not the leave will be granted or denied. If denied, the Administrator shall notify the employee as to the reason for a denial.

Should an employee not meet the above paid Wedding of Immediate Family Member provisions, an employee may request unpaid personal leave in order to attend the wedding. Whether or not Personal Leave is granted is addressed by the provisions outlined for such leave provision.

Student College Leave (Paid Leave)

Upon administrative approval, certified employees will be granted up to two (2) days of paid Student College Leave only under the following circumstances.

1. The Employee is the parent of a child who was a Harbor High School graduate from Liberty Charter School or Legacy Charter School.
2. The sole purpose of such leave is for the employee to transport their child to college/professional schooling at the commencement of the school year/term/semester.
3. Student College Leave will only be granted in units of half or full days.
4. Notice of at least one (1) month is required to be provided to the Administrator by an employee seeking to utilize Student College Leave.
5. The Administrator shall notify the employee within three (3) days of receipt of the Student College Leave request as to whether or not the leave will be granted or denied. If denied, the Administrator shall notify the Teacher as to the reason for a denial.

Should an employee not meet the above paid Student College Leave provisions, an employee may request unpaid personal leave in order to transport their student to college/professional schooling. Whether or not Personal Leave is granted is addressed by the provisions outlined for such leave provision.

Legal References:	42 U.S.C. § 2000(e), et seq.	Title VII of the Civil Rights Act of 1964 – Subchapter VI – Equal Employment Opportunities
	I.C. § 33-1228	Teachers - Severance Allowance at Retirement
	IDAPA 08.02.02.076	Code of Ethics for Idaho Professional Educators

Policy History:
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Revised on: 2013.07.18
Revised on: 2016.09.15
Revised on: 2017.06.15
Revised on: 2018.01.18
Revised on: 2020.02.20
Revised on: 2024.04.18
Revised on: 2025.09.18

LEGACY CHARTER SCHOOL

PERSONNEL **5410**

Family and Medical Leave

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

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

An employee is eligible to take FMLA leave if the employee has been employed for at least 12 months, and has worked at least 1,250 hours during the 12 months immediately prior to the date when the leave is requested and otherwise qualifies pursuant to applicable federal laws

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

FMLA leave is unpaid leave. Employees may use appropriate paid leave while on FMLA Leave. Workers Compensation absences will be designated FMLA Leave.

The Board has determined that the 12 month period during which an employee may take FMLA leave is **July 1 to June 30**.

Medical certification shall be required to determine FMLA initial or continued eligibility as well as fitness for duty.

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

Policy History:

Adopted on: December 15, 2011
Revised on: June 20, 2013
Revised on: February 20, 2020

Legacy Charter School

PERSONNEL **5420**

Long-Term Illness/Temporary Disability

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

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

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

Cross Reference: 5410 Family Medical Leave

Legal Reference: 29 CFR 825, 29 USC 2601, et seq. Family Medical Leave Act – National Defense Authorization Act for FY 2008 (NDAA), Pub. L. 110-181

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

Policy History:
Adopted on: December 15, 2011
Revised on:

Legacy Charter School

PERSONNEL **5420P**

Long-Term Illness/Temporary Disability

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

1. When any illness or temporarily disabling condition is "prolonged", an employee will be asked by the administration to produce a written statement from a physician stating that the employee is temporarily disabled and is unable to perform the duties of his/her position, but at some point in the future will be able to return to work.

2. In the case of any other extended illness, procedures for assessing the probable duration of the temporary disability will vary. The number of days of disability will vary according to different conditions, individual needs and the assessment of individual physicians. Normally, however, the employee should expect to return on the date indicated by the physician unless complications develop which are further certified by a physician.

3. Maternity leave will be treated as any other disability. As a disabling condition, maternity leave is not available to fathers.

Cross Reference: 5410 Family Medical Leave

Legal Reference: 29 CFR 825, 29 USC 2601, et seq. Family Medical Leave Act – National Defense Authorization Act for FY 2008 (NDAA), Pub. L. 110-181

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

Procedure History:
Adopted on: December 15, 2011
Revised on:

Legacy Charter School

PERSONNEL **5470**

Leaves of Absence - Military Leave

General Policy

All Charter School employees, other than those who are employed on a temporary basis, are entitled to a military leave of absence when ordered to active duty for training as members of the Idaho National Guard or any component of the U.S. Armed Forces. Employees who volunteer, are drafted, or are ordered to extended active duty with any component of the U.S. Armed Forces shall be entitled to reinstatement to their former positions or comparable positions if the right is exercised in a timely manner as noted below.

The Charter School shall notify each employee entitled to rights and benefits under the Uniformed Services Employment and Reemployment Rights Act (USERRA) of their rights, benefits, and obligations under USERRA and those of the Charter School. Such notice may be provided by posting the notice in the place(s) where the Charter School customarily places notices for employees

Notice to Charter School

All employees should provide either written or oral notice of upcoming military training to the Charter School as soon as reasonably practical. The employee or an appropriate officer of the branch of military in which the employee will serve may provide the notice. Employees who are ordered for such duty shall provide one copy of their orders to the Principal. Notice shall include date of departure and date of return for purposes of military training 90 days prior to the date of departure.

Military Leave for Training or Short Term Duty

Employees who are required to attend active duty, inactive-duty training, funeral honors duty, or field or coast defense training as a Reserve of the armed forces or member of the National Guard shall not suffer any loss of salary, seniority, or efficiency rating during the first 15 work days of such absence in any fiscal year. Leave will be without loss of benefits.

In the case of a part-time employee, military leave for training or short-term duty shall accrue at a rate of 15 days per year multiplied by a percentage determined by dividing by 40 the number of hours in the regularly scheduled workweek of that employee during that fiscal year. Unused leave shall accumulate until it totals 15 days.

Completion of Military Training

Upon completion of military training, the employee shall give evidence of the satisfactory completion of such training immediately thereafter. The employee shall be restored to his or her previous or similar position with the same status, pay, vacation leave, sick leave, bonus, advancement, and seniority. Such seniority shall continue to accrue during such period of absence.

Benefits for Uniformed Service Personnel On Active Duty

> **(Note: Federal law does not require an employer to pay the salary of an employee on military leave except as specified in "Military Leave for Training or Short Term Duty" above.)**

Pension and Retirement Plans: Pension and retirement plans are considered a benefit to which reinstated employees are entitled. Any normal contributions will continue to be made for service members who are absent for 90 days or fewer. If the employee has been absent for military service for 91 days or more, the Charter School may elect to delay making retroactive pension contributions until the employee submits satisfactory reemployment documentation.

Medical Insurance: Health benefits will be offered to the extent they are available to other employees on leave. An employee performing military service for 30 days or fewer is not required to pay more than the normal employee share of any health premium. If the employee's military service is for 31 days to 24 months, the health plan will offer continuous coverage. An employee on military leave may elect to continue health care coverage through the Charter School for up to 24 months after the military leave begins or for the period of military service, whichever is shorter. The Charter School's obligation to provide health benefits ends once an employee's military leave exceeds 24 months. When the employee is reinstated, a waiting period or exclusion cannot be imposed if health coverage would have been provided to the employee had he or she not been absent for military service.

Reporting to Charter School Once Military Leave is Complete

The standard military service length and reporting times are:

1 to 30 Days of Military Service: The employee reports to the Charter School by the beginning of the first scheduled work day that falls eight hours after the end of the last calendar day of military service.

31 to 180 Days of Military Service: The employee must submit an application for reemployment no later than 14 days after completion of service in the armed forces. If the 14th day falls on a day when the Charter School's offices are not open or available to accept a reemployment application, the time extends to the next business day.

181 Days or More of Military Service: The employee must submit an application for reemployment no later than 90 days after completion of military service. If the 90th day falls on a day when the employee's offices are not open or available to accept a reemployment application, the time extends to the next business day.

Cases of Disability: Employees who are hospitalized or recovering from a disability that was incurred or aggravated during the period of military service leave have up to two years to submit an application for reemployment.

There is an exception to these guidelines for those employees who, through no fault of their own, find themselves in a situation that makes it impossible or unreasonable to meet the required timetables. In those cases the employee must return to work as soon as possible.

Disqualification from Returning to Work

There are four conditions that disqualify an employee from exercising his or her right to reemployment after military service:

1. A dishonorable or bad conduct discharge;
2. Separation from the service under "other than honorable conditions";
3. A commissioned officer's dismissal via court martial or by order of the President;
4. When a service member has been dropped from the rolls for being absent without authority or for civilian imprisonment.

Reinstatement to Positions After Extended Duty

Employees who volunteer, are drafted, or called to active duty for extended periods will be placed on "Military Leave of Absence" upon written application and be entitled to reinstatement to their former or similar positions upon their return and under the following conditions:

1. They must not have remained on active duty beyond their first opportunity for honorable or general release; and

2. They must report to claim reinstatement within the timelines specified under "Reporting to Charter School Once Military Leave is Complete" above.

After an employee has been absent for thirty-one (31) days or more of military service, the Charter School may ask the employee or the employee's military unit for documentation showing that:

1. The employee submitted a timely application for reemployment;
2. The employee's length of military service has not exceeded the five year limitation; and

3. The employee's separation from the military service meets the requirement for reemployment.

As a general rule, employees returning from military service must be reemployed in the job that they previously held, or would have attained had they not been absent for military service. If the employee was disabled while on military duty, or a disability is aggravated by military service, the Charter School will make reasonable efforts to accommodate the disability.

Legal Reference:	I.C. § 46-407	Militia and Military Affairs/Reemployment Rights
	I.C. § 46-224	Militia and Military Affairs/Entitled to Restoration of Position After Leave of Absence for Military Training
	I.C. § 46-225	Militia and Military Affairs/Vacation, Sick Leave, Bonus and Advancement Unaffected by Leave
	USERRA, Title 38, Part 3, Chapter 43 U.S. Code	
	38 USC §§ 4301	Uniformed Services Employment and Reemployment Act ("USERRA").
	5 USC § 6323	Military Leave; Reserves and National Guardsmen

Policy History:
Adopted on: June 21, 2018
Revised on:

Legacy Charter School

PERSONNEL **5500**

Personnel Files

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

A log of those persons, other than the Principal or other administrative staff, will be kept indicating the date and time of inspection, name of person requesting access, description of the records copies, if any, and the initials of the person providing the access and/or copies requested. In accordance with federal law, the Charter School shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their child at that school. Access to other information contained in the personnel records of Charter School employees is governed by Policy 4260 Records Available to the Public.

The Charter School shall also release materials as required by IC 33-145

Certificated Employees

The Charter School shall maintain official Charter School files for employees.

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

1. Application materials;
2. Contracts of employment;
3. Communications from the administration;
4. Performance evaluations;
5. Rebuttals to performance evaluations;
6. Parental input materials;
7. Written reprimands, directives, commendations, or awards;
8. Original statements and releases to and from hiring school districts and charter schools;
9. A copy of the employee's job description signed by the employee;
10. A signed acknowledgment that the employee has received a copy of the Charter School's sexual harassment policy;
11. A signed acknowledgment that the employee has received a copy of the Charter School's email and internet use policy;
12. Documentation of additional training received, course work completed, in-services attended, etc.;

13. Documentation of fingerprints and background checks;
14. Documentation of record and/or reference checks pursuant to Idaho Code 33-1210;
15. Rebuttal documents;
16. Copies of certifications from the Office of the Superintendent of Public Instruction;
17. Transcripts of credits earned (for credit review purposes);
18. Salary schedule placement; and
19. Any information relevant to the evaluation of the employee.

The file may contain notes and observations. Letters of recommendation will be kept in a separate, sealed file maintained by the Principal or a separate, sealed portion of the personnel file. Personal notes of supervisors should be placed in the personnel file if they are relevant to the evaluation of the employee.

Each employee will be provided written notice of all materials placed in an employee's personnel file. Notice shall be provided within ten (10) days of placement of information in the employee's file or, if possible, presented to the employee prior to placement in the file. An employee will have the opportunity to attach a rebuttal to any information placed in the employee's personnel file. An employee will have twenty-one (21) days from the date of written notice of placement to attach a statement or notification of rebuttal.

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

<u>Record Keeping Requirements Under the Fair Labor Standards Act</u>

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

1. Records required for ALL employees:

    a. Name in full (same name as used for Social Security);
    b. Employee's home address, including zip code;
    c. Date of birth if under the age of nineteen (19);
    d. Gender (may be indicated with Male/Female; M/F; or a Mr., Mrs., Miss, or Ms.);
    e. Time of day and day of week on which the employee's work week begins;
    f. Basis on which wages are paid (such as $5/hour, $200/week, etc.);
    g. Any payment made which is not counted as part of the "regular rate";
    h. Total wages paid each pay period; and
    i. I-9.

2. Additional records required for non-exempt employees:

   A. Regular hourly rate of pay during any week when overtime is worked;
   B. Hours worked in any work day (consecutive twenty-four-(24)-hour period);
   C. Hours worked in any work week (or work period in case of 207[k]);
   D. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week, but excluding premium pay for overtime);
   E. Total overtime premium pay for a work week;
   F. Date of payment and the pay period covered;
   G. Total deductions from or additions to wages each pay period;
   H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
   I. Number of hours of compensatory time earned each pay period;
   J. Number of hours of compensatory time used each pay period; and
   K. Number of hours of compensatory time compensated in cash, the total amount paid and the dates of such payments.

Cross Reference:	4260	Records Available to the Public
	5240F	Sexual Harassment/Intimidation in the Workplace Policy Acknowledgement
	5340	Evaluation of Certificated Personnel
	5500	Personnel Files

Legal Reference:	29 USC 201, et seq.	Fair Labor Standards Act of 1985
	29 C.F.R. § 516.2	Employees subject to minimum wage or minimum wage and overtime provisions pursuant to section 6 or sections 6 and 7(a) of the Act.
	29 C.F.R. § 516.3	Bona fide executive, administrative, and professional employees (including academic administrative personnel and teachers in elementary or secondary schools), and outside sales employees employed pursuant to section 13(a)(1) of the Act.
	I.C. § 33-517	Non-Certificated Personnel
	I.C. § 74-106	Records Exempt from Disclosure – Personnel Files, etc.

Policy History:
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Revised on: 2026.08.20

Legacy Charter School

PERSONNEL **5500P**

Procedures for Releasing Personnel Records to Hiring Schools

1. No later than twenty (20) days after receiving a request from a hiring school under the provisions of Idaho Code 12-1210 Legacy Charter School shall provide the information requested and make available to the hiring school copies of all documents in the past or current employee's personnel file relating to job performance or job related conduct. Note – The Charter School may provide records in electronic format.

2. No Board member or Charter School employee shall enter into any agreement that has the effect of suppressing information about negative job performance by a present or former employee or expunge information about performance or misconduct from any document in an employee personnel file.

3. In fulfilling a request from a hiring school, the Charter School may choose to expunge information from an employee's personnel file relating to *alleged* verbal or physical abuse or sexual misconduct that has not been substantiated.

4. In fulfilling a request from a hiring school, the Charter School shall expunge information from an employee's personnel file on any materials for which disclosure would violate FERPA, HIPAA, or any other applicable federal law. The Charter School shall also redact student names from investigative or other documentation in the employee's/former employee's file as well as any medical documentation.

5. No Charter School employee who in good faith discloses information to the hiring school either in writing, printed material, electronic material, or orally shall be held civilly liable for the disclosure.

Cross Reference:

	5500	Personnel Files
Legal Reference:	I.C. § 33-1210	Information on past job performance

Policy History:
Adopted on: December 15, 2011
Revised on:

Legacy Charter School

PERSONNEL

5710

Paraprofessionals, Teachers' Aides, and Paraeducators

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

Under federal law, a paraprofessional, also known as a "paraeducator," an "education assistant" or an "instructional assistant," is defined as an individual who is employed in a preschool, elementary school, or secondary school under the supervision of a certificated or licensed teacher, and includes persons employed in language instruction educational programs, special education programs, and migrant education programs.

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

In compliance with applicable legal requirements, the Board of Directors shall require all paraeducators with instructional duties that are newly hired in a Title I school-wide program, to have met the required standard of quality, and can demonstrate through a formal state or local academic assessment the knowledge of and ability to assist in the instruction of reading, writing, or mathematics or the instruction of readiness of these subjects.

In compliance with applicable legal requirements, the Board shall require all paraeducators with instructional duties that are newly hired in a Title I school-wide program to have a high school diploma or general equivalency diploma (GED) **and**:

1. Demonstrate through a state approved academic assessment knowledge of and the ability to assist in instructing or preparing students to be instructed as applicable to the academic areas they are providing support in; **or**

2. Have completed at least two years of study at an accredited postsecondary educational institution; **or**

3. Obtained an associate degree or higher level degree;

It is the responsibility the Executive Director and each teacher to provide adequate training for a paraeducator. This training should take into account the unique situations in paraeducators work and should be designed to cover the general contingencies that might be expected to pertain to that situation. During the first 30 days of employment, the supervising teacher or administrator

shall continue to assess the skills and ability of the paraeducator to assist in reading, writing, and mathematics instruction.

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

Legal Reference:

20 USC § 6312 Local Agency Plans, as amended by ESSA of 2015
20 USC § 6314 School Wide Programs, as amended by ESSA of 2015
20 USC §§ 7011, 7801 Definitions, as amended by ESSA of 2015
IDAPA 08.02.02.0007.10.a Paraprofessional.

Policy History:
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