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

To aid in obtaining quality staff members, the following factors will be considered: qualifications, training, experience, personality, character, and ability to relate well with students. Every effort will be exerted to maintain wide diversity in staff experience and educational preparation. However, the welfare of the children of the district will be a paramount consideration in the selection of teachers and administrators.

1. Guidelines
   1. There will be no discrimination in the hiring process. See Policy 5120.
   2. Applicants for teaching positions shall provide evidence of meeting State requirements for regular certification and sign a statement authorizing current and past school district employers to release to the district all information relating to job performance or job related conduct. Applicants who do not sign the statement/release shall not be considered for employment. The district will consider information received from current and past school district employers only for the purpose of evaluating applicants’ qualifications for employment in the position for which they have applied and no one shall disclose such information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants’ qualifications for employment. Non-certificated applicants may be employed on a conditional basis pending receipt of information from current and past school district employers. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the district’s request. See Forms 5100F1 and 5100F2.
   3. Applicants for high school and junior high positions should have a major or its equivalent in the specific teaching field(s). Elementary or intermediate applicants should have a major or its equivalent in elementary education or in the special area of assignment(s). Applicants for specific teaching positions shall also hold the applicable Idaho Teaching Certificate, or qualify to hold such. In certain cases, where the applicant chosen does not hold the appropriate certificate, he or she must be willing to apply for an Alternative Authorization and complete the appropriate state requirements for an Alternative Authorization.
   4. As required in Idaho Code 33-130, the district will conduct a criminal history check for applicable positions. See Policy 5110.
   5. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.
   6. An application or letter of interest will be maintained within the district file for a period of one (1) year from the date of inquiry. It is the responsibility of any applicant who desires to be considered for positions within the district to reactivate his/her file annually.
   7. The employment of any certified staff member is not official until the contract is approved by the building principal, the Superintendent, the Board of Trustees in an open meeting, and signed by both the board chairman and the applicant.

1. Application Procedures
   1. It will be the responsibility of any applicant to provide all pertinent information.
   2. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.
   3. It will be the discretion of the superintendent, the appropriate administrator, and the building administrator to determine whether such deadlines should be extended to accommodate individuals where placement center files, transcripts or other materials are not yet received by the district for consideration. Such time extension will be restricted to a reasonable time frame.
   4. Upon receipt of the completed applications, those applications will be placed in a file for review and consideration at the district office.
2. Notice of Vacancies
   1. Vacancies will be posted only after the superintendent has received written resignation from a contracted professional employee of the district or if a new position is created within the district. When that official resignation has been received, the superintendent’s office will post a digital notice to all district staff having email addresses.
   2. The superintendent's office will post notice of any vacancy both within and without the district for a minimum of five (5) school days to allow current teachers or administrators to also apply for the position. Notices within district will be posted via email to all employees having an email address. The five day requirement may be shortened to two days in the case of emergency situations when there is less time to hire such as during the summer months or at the start of a school year when classes may be overloaded.
   3. Any vacancy notice will contain the following information:
      1. Position available and job description.
      2. Requirements for completed application, as applicable for position, include but are not limited to: 1) completed district application form; 2) official transcript of all university or college credits; 3) placement center file; 4) personal resume; 5) verification or eligibility of Idaho certification; and 6) signed statement/release for current and past school district employers.
      3. Timeline for receiving application.
      4. Process notification of how applications will be handled.
3. Transfers
   1. Upon the conclusion of the application period, the superintendent will meet with the appropriate building or program administrator, and review all requests for transfer.
   2. The building/program administrator will have the responsibility to review all in-district applications, who meet the qualifications needed for the position, and may or may not make recommendation for such in-district transfer.
   3. If a transfer is recommended and approved by the building principal, it will be submitted in writing to the Superintendent immediately following such determination. Since such transfer would automatically create a vacancy in another location, notice of that vacancy will be posted as specified above.
   4. Should the building/program administrator determine that he/she does not wish to accept the request for transfer of any individual, or no individuals have requested a transfer, the principal will follow the steps outlined in VI, VII, and VIII below.
4. Preliminary Screening
   1. At either the time the job vacancy is published, or prior to the conclusion of the application period, the school administrator will conduct a preliminary screening of all applications and materials. The screening pool shall be defined as the number of individuals having completed applications that will be submitted to the hiring committee.
5. Screening
   1. The building or program administrator may establish a committee to assist in the final screening process. It is recommended that each committee consist of teachers, parents, administrators, and other personnel as directed by the building administrator. The superintendent of schools or any member of the board of trustees may participate on any hiring committee. No more than two members of the board may sit on any hiring committee.
   2. The committee, upon receiving the written applications from the appropriate administrator, will review those applications to:
      1. Determine those most suited to the position.
      2. Make personal telephone contact with one or more references submitted by the applicant.
      3. Contact individuals who might know the candidate, but were not listed as references, if needed.
      4. Invite the top candidates to be interviewed for the position.
   3. The administrator will establish the procedures at the building or program level for interviewing the successful applicants.
   4. Upon determining the qualified applicant, the building administrator will submit to the Superintendent the written recommendation for the applicant to be offered a contract.
6. Release of Information
   1. Before hiring an applicant, a school district shall request the applicant to sign a statement:
      1. Authorizing the applicant's current and past employers, including employers outside of the state of Idaho, to release to the hiring school district all information relating to the job performance and/or job related conduct, if any, of the applicant and making available to Sugar Salem School District copies of all documents in the previous employer's personnel files established pursuant to sections [33-517](http://legislature.idaho.gov/idstat/Title33/T33CH5SECT33-517.htm) or [33-518](http://legislature.idaho.gov/idstat/Title33/T33CH5SECT33-518.htm), Idaho Code, or investigative or other files, regardless of whether or not the employee has received notice of the existence of such documentation due to a voluntary separation from employment or the employee's refusal to sign such documents, relating to the job performance by the applicant. Upon separation of employment, all documents from any other file, including an investigative files, shall be moved into the personnel file. The requirement to submit investigative files to the personnel file shall not be construed to be a waiver of the attorney client privilege. Names of any student, fellow employee or complainant, other than the employee's administrative supervisor or administrative author shall be redacted from investigative file documents prior to placement in the personnel file. The former employee shall be provided a copy of the documents and written notice of the inclusion of the information in the personnel file to the former employee's last known address. The former employee shall be permitted the opportunity to file a rebuttal to the new documents placed into the personnel file. If an ongoing personnel investigation was taking place, the contents of the district's investigative file shall be forwarded to the professional standards commission when the district submits the report required pursuant to section [33-1208A](http://legislature.idaho.gov/idstat/Title33/T33CH12SECT33-1208A.htm), Idaho Code.
      2. Releasing the applicant's current and past employers, and employees acting on behalf of that employer, from any liability for providing information described above.
7. Acceptance Procedure
   1. Once the Committee has selected the final candidate, the name will be provided to the Superintendent who will review the applicant’s credentials with the building/program administrator. If the Superintendent and Building Principal concur with the recommendation, the Superintendent will:
      1. Authorize a verbal offer of employment, pending board approval, to be made to the candidate.
      2. Upon receiving verbal acceptance by the candidate, the Superintendent will prepare the necessary papers for recommendation to the board of trustees at the next regular or special board meeting.
      3. Submit to the board of trustees such recommendation.
8. Board Action
   1. The board of trustees will:
      1. Have placed before it all recommended names for the position; and
      2. Approve candidates, unless they personally have knowledge not available to the building administrator and the screening committee. In that case, the board will not take action until all concerns have been reviewed by the building/program administrator.
9. Issuance of Contracts
   1. Upon approval by the board of trustees, a contract, in a form approved by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-513. The applicant must sign the contract and return it within ten (10) days from the date the contract is delivered to them. Should the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the board in the designated period of time, the Superintendent may declare the position vacant. Should the candidate not be approved, or the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the board the superintendent will remand the situation to the building administrator and screening committee to provide the next applicant’s name for consideration.
10. Certification/Highly Qualified Status
    1. To qualify for employment, each teacher or administrator should have a valid Idaho teaching/administrative certificate on file in the district office at the beginning of the school year as well as proof that he or she is highly qualified. In the case of hiring recommendations of personnel who do not hold a valid Idaho teaching/administrative certificate the Superintendent may process the necessary paperwork to apply for a temporary certificate as allowed by the Idaho State Department of Education.
    2. Salary may be withheld if the certificate is not on file by September 10 of the given year.
11. Contracts
    1. Category 1 Contracts – All teachers, hired after August 1st each year will be offered a Category 1 contract. A category 1 contract is a limited one-year contract specifically offered for the limited duration of the ensuing school year, and no further notice is required by the district to terminate the contract at the conclusion of the contract year.
    2. Category 2 Contracts - A category 2 contract is for certificated personnel in the first and second years of continuous employment. Upon the decision by a local school board not to reemploy the person for the following year, the certificated employee shall be provided a written statement of reasons for non-reemployment by no later than May 25. No property rights shall attach to a category 2 contract and therefore the employee shall not be entitled to a review by the local board of the reasons or decision not to reemploy.
    3. Category 3 Contracts - A category 3 contract is for certificated personnel during the third year of continuous employment. District procedures shall require at least one (1) evaluation prior to the beginning of the second semester of the school year and the results of any such evaluation shall be made a matter of record in the employee's personnel file. When any such employee's work is found to be unsatisfactory a defined period of probation shall be established by the board, but in no case shall a probationary period be less than eight (8) weeks. After the probationary period, action shall be taken by the board as to whether the employee is to be retained, immediately discharged, discharged upon termination of the current contract or reemployed at the end of the contract term under a continued probationary status. Notwithstanding the provisions of sections [67-2344](http://legislature.idaho.gov/idstat/Title67/T67CH23SECT67-2344.htm) and [67-2345](http://legislature.idaho.gov/idstat/Title67/T67CH23SECT67-2345.htm), Idaho Code, a decision to place certificated personnel on probationary status may be made in executive session and the employee shall not be named in the minutes of the meeting. A record of the decision shall be placed in the employee's personnel file. This procedure shall not preclude recognition of unsatisfactory work at a subsequent evaluation and the establishment of a reasonable period of probation. In all instances, the employee shall be duly notified in writing of the areas of work which are deficient, including the conditions of probation. Each such certificated employee on a category 3 contract shall be given notice, in writing, whether he or she will be reemployed for the next ensuing year. Such notice shall be given by the board of trustees no later than the twenty-fifth day of May of each such year. If the board of trustees has decided not to reemploy the certificated employee, then the notice must contain a statement of reasons for such decision and the employee shall, upon request, be given the opportunity for an informal review of such decision by the board of trustees. The parameters of an informal review shall be determined by the local board.
    4. Renewable Contracts – The district shall have the option to grant renewable contract status when it hires a certificated employee who has been on a renewable contract with another Idaho school district or to place the employee on a category 3 annual contract. Such employment on a category 3 contract under the provisions of this subsection may be for one (1), two (2) or three (3) years.
    5. The board shall provide written notification to each person entitled to be employed on a renewable contract by July 1st. All employees on grandfathered renewable contracts must give written notice of acceptance of automatic renewal of contract to the board no later than July 20th. The employee’s failure to provide written acceptance of renewal of contract may be interpreted by the board as a declination of the right to automatic renewal or the offer of another contract.
12. Delivery of Contract
    1. Delivery of a contract should be made in person. If delivery is made in person, the delivery must be acknowledged by a signed receipt.

Cross Reference: Policy 5340 Evaluation of Certificated Personnel

Legal Reference I.C. § 33-513 Professional Personnel

I.C. § 33-514 Issuance of Annual Contracts – Support programs – Categories of Contracts – Optional Placement

I.C. § 33-515 Issuance of Renewable Contracts

I.C. § 33-515A Supplemental Contracts

Cross Reference: 5110 Fingerprinting and Criminal Background Investigations

1. Equal Employment Opportunity and Non-Discrimination

5100F1-5100F3 Hiring Process and Criteria Forms

Legal Reference: I.C. § 33-130 Criminal history checks for school district employees or applicants for certificates

I.C. § 33-512 Governance of schools

I.C. § 33-513 Professional personnel

I.C. § 33-1210 Information on past job performance

I.C. § 65-505 Officials to observe preference

I.C. § 67-2345(a) Executive sessions