

## Garden Valley School District No. 71

### THE BOARD OF TRUSTEES

1300

#### District Policy

The adoption of new policies and the revision and amending of existing policies shall be the sole responsibility of the Board of Trustees.

All policies shall conform to local, state, and federal laws as well as to the rules and regulations of the Idaho Department of Education.

#### Adoption and Amendment of Policies

Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Such proposals may be referred to the superintendent for detailed study as needed prior to Board action on the proposal. The Board encourages the superintendent to contact other experts to have potential board policy researched. Interested parties, including any Board member, citizen, or employee of the Board may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person relative to a proposed policy or amendment should be directed to the District clerk prior to the second reading.

Proposed new policies and proposed changes in existing policies shall undergo a minimum of two (2) readings in the following manner:

1. At a regular or special Board meeting the proposed new or amended policy shall be presented in writing for reading and discussion.
2. The final vote for adoption shall take place not earlier than at the second reading of the particular policy.

Although approval of a new or amended policy requires a minimum of two (2) readings, temporary approval may be granted by the Board in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken. When the policies are under review the board may amend, revise, or adopt the changes with one reading.

All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies as adopted or amended shall be made a part of the minutes of the meeting at which action was taken, and shall also be included in the District's policy manual. Policies of the District shall be reviewed annually by the Board.

### Administration in Absence of Policy

In cases where action must be taken before the next board meeting and where the Board has provided no policies or guides for administrative actions, the superintendent shall have to power to act.

His decisions, however, shall be subject to review by action of the Board at its next regular meeting. In addition, it shall be the duty of the superintendent to inform the Board of such action and the need for policy.

### Suspension of Policies

Under circumstances which require a waiver of a policy, the policy may be suspended by a majority vote of the members present. In order to suspend a policy, all trustees must have received written notice of the meeting which included a proposal to suspend the policies with an explanation of the purpose of such proposed suspension. If such a proposal is not made in writing in advance of the meeting, the policies may only be suspended by a unanimous vote of all trustees present.

### Policy Manuals

The Superintendent shall develop and maintain a current policy manual which contains the policies of the District. Each administrator, as well as staff, students and other residents, shall have ready access to the manual. All policy manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any time.

Legal References:	I.C. § 33-506	Organization and government of board of trustees.
	I.C. § 33-512	Governance of schools.

### Policy History:

Adopted on: 8-4-2011

Revised on: 01/12/2016

## **Garden Valley School District No. 71**

### **STUDENTS**

**3010P**

#### Open Enrollment Procedures

##### **A. Submitting the Form**

1. Varsity Sport Participation - A student who plans to participate in a varsity sport governed by the Idaho High School Activities Association (IHSA) should review IHSSA rules prior to submitting an Open Enrollment Application. Certain school transfers will lead to a student being ineligible to play at the varsity level for one year.
2. Open Enrollment Application forms are available at any Garden Valley District school. Based on mutually agreed upon waivers, Open Enrollment Applications will be accepted at any time throughout the school year, although the general period for accepting applications will be January 1 to February 1 for the following school year. Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.
3. For students who reside in the Garden Valley District, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of their attendance zone school (home school).
4. For students who reside outside the Garden Valley District boundary, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school) and the parent/guardian must give notice to the home school.

##### **B. Review Approval Process**

1. Limited Opening - Applications will normally be considered on a “first-come first-serve” basis. However, in situations where openings are limited, the Superintendent may give priority if a student:
  - resides in the Garden Valley District and seeks enrollment in another District school under the provisions of the No Child Left Behind Act;
  - was previously enrolled at the requested school in a prior year;
  - has a brother or sister enrolled at the requested school;
  - resides in the attendance area of another District school;
  - has a parent employed by the District; or
  - has unique situation or extraordinary circumstances.
2. Factors which may cause an Open Enrollment Application to be denied include:
  - a. a school, grade, or program(s) has lack of available classroom space and/or staff;
  - b. the current enrollment is at or above the following:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	20
2-3	20
4-6	26
7-12	34 students per teacher per class
Special Education	An average of 6 students per classroom
Self-Contained	
English Language Learners (ELL)	20 per full-time ELL teacher
Alternative Schools	12 students per classroom

- c. the student has been suspended or expelled, has committed a disciplinary violation for which he/she could be suspended or expelled,
  - d. the student has a history of documented disciplinary infractions; or
  - e. it is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.
3. District resident approval process:
- a. A home school principal makes a recommendation to approve or not to approve the transfer by completing the appropriate section of the Open Enrollment Application form.
  - b. The home school principal sends the form to the out-of-attendance area (receiving school) principal.
  - c. The receiving school principal makes a recommendation to approve or not to approve the Open Enrollment request by completing the appropriate section of the Open Enrollment application form.
  - d. The receiving school principal sends the Open Enrollment Application to the Superintendent of the receiving school.
  - e. The Superintendent approves or denies the Open Enrollment request by completing the appropriate section of the Open Enrollment Application form.
4. Out-of-district approval process:
- a. A receiving school principal makes a recommendation to approve or not to approve the transfer by completing the appropriate section of the Open Enrollment Application form.
  - b. The receiving school principal sends the form to his/her Superintendent.
  - c. The Superintendent approves or denies the Open Enrollment Application by completing the appropriate section of the Open Enrollment Application form.

C. Parent Notification

- 1. When the application is submitted during the enrollment time period (January 1-February 1, the Superintendent will notify the parent/guardian of his/her decision by March 31.
- 2. When the application is submitted outside of the open enrollment time period, notification must be made within 60 days after an application is accepted.
- 3. If the request for open enrollment is denied, the denial will include a written



explanation. If the application is denied because classroom capacity has been reached at the school of choice, the denial may include information about other schools in the district that are below capacity.

4. The letter approving the request will inform the parents of the following:
  - a. Parents must provide transportation or get student to nearest District bus stop, if space is available;
  - b. State law requires reapplication on an annual basis; and
  - c. Inappropriate behavior in violation of district policies may be grounds for removing the student during the school year.
  - d. Special education, English Language Learners (ELL) or alternative school students must meet the requirements and the procedures established for those programs.

D. Re-enrollment

As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he/she resides in that school's attendance area, except in the circumstances described below.

E. Revocation of a Transfer

1. As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he/she resides in that school's attendance area. However, the District reserves the right to remove a transfer student at any time because of unacceptable behavior in violation of school district policies or because of false or misleading information on the open enrollment application.
2. If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the transfer school. The parent/guardian must request the review within five (5) school days of receiving notice that their child's transfer has been revoked.
3. The Superintendent of the transfer school must render a decision to the parent/guardian request for review within five (5) school days. The decision of the Superintendent may be appealed to the School Board of Trustees.

F. Student Rights and Responsibilities

Due process for all students remains the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy. If a student who is a resident of another, applies to this district and is accepted under the terms of this policy, and fails to attend shall be ineligible to apply again for open enrollment in this district.

G. Preventing or Recruiting Potential Open Enrollment Students

The District or its' employees will not take any action to prohibit or prevent application by a students to attend school in another school district or to attend another school within

the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

### **DEFINITION**

**School Days:** include only those days when school is in session.

### Policy History

Adopted on: 12-13-2011

Revised on: 03-08-2016

## **Garden Valley School District No. 71**

### **PERSONNEL**

**5100**

#### Hiring Process and Criteria

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 as may be needed in recruiting potential personnel. All personnel selected for employment must be recommended by the Superintendent or designee and approved by the Board. All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

To aid in obtaining quality staff members, the following factors will be considered, along with any other factors relevant to the position: qualifications, training, experience, personality, character and ability to relate well with students. Every effort will be 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.

This policy shall be made available to any District employee or person seeking employment with the District.

#### 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, including those outside the state of Idaho, to release to the District all information relating to job performance or job related conduct, and making available to the District copies of all documents in the applicant's previous personnel files, investigative, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The 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. Applicants may be employed on a non-contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the District's request. See Forms 5100F1 and 5100F2.
3. Candidates for high school and middle school positions should have a major or its equivalent in the specific teaching field(s). Elementary 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 meet the applicable State standards.
4. Applicants for all teaching positions should have a minimum over-all grade point average

of 2.5 (A-4, B-3, C-2, D-1). All candidates should have a grade point average of 2.75 in their respective major teaching field(s).

5. When considering coaching assignments in secondary schools, preference for hiring will be given to a qualified certificated professional employee in the school where the coaching vacancy exists. The Building Principal will be responsible for assuring that all qualified and interested applicants within the building have been given consideration. Giving such individuals consideration does not mean that such an individual will necessarily be retained for a coaching position or that another individual may receive the position who is not an employee of the building in question.
6. As required in Idaho Code 65-505, the District will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees or implementing a reduction in force.
7. As required in Idaho Code 33-130 and 33-512(15), the District will conduct a criminal history check for applicable positions. See Policy 5110.
8. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

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

To assist administrators in compliance with the above policy for the hiring of professional staff, the following guidelines shall be utilized:

#### Notice of Vacancies

Vacancies will be posted after the Superintendent receives the staff member resignation. The Board will officially approve the resignation at the next regular board meeting and may also approve the hiring of the replacement at that meeting. The Superintendent will not post vacancies until the board has enacted a termination, or if a new position is created within the District. The Superintendent shall develop procedures for the posting of available positions within the District. The Superintendent will notify the Board as soon as possible when a resignation occurs.

The Superintendent's Office will post notice of any vacancy within the District. The notice shall be posted for a minimum five (5) school days within the District for current qualified employees to apply for the position.

Upon the conclusion of the five (5) school day period, the appropriate administrator will review all requests to apply for the open position. The administrator will have the responsibility to interview all final applicants who meet the qualifications needed for the position, and may or may not make recommendation for such applicants after review. All in-district applicant will be obliged an informal interview. The superintendent/ principal will make the final decision on the request for transfer.

1. Job Vacancy Notices: Any notice from Garden Valley School District No. 71 will contain the following information:
  - A. Position available and job description.



- B. Requirements for completed application, as applicable for position, include but are not limited to: 1) a completed District application form; 2) official transcripts of all university or college credits; 3) a placement center file; 4) a personal resume; 5) verification or eligibility of Idaho certification; and 6) a signed statement/release for current and past school district employers.
  - C. Timeline for receiving application.
  - D. Process notification of how applications will be handled.
2. Application Procedures: It will be the responsibility of any applicant to provide the information listed in B above.
- A. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.
  - B. It will be at the discretion of the 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.
  - C. In addition to the certification information provided by the applicant, the District will also request from the Office of the Superintendent of Public Instruction verification of certification status, any past or pending violations of the professional code of ethics, any detail as to any prior or pending conditions placed upon a certificate holder's certificate, any prior or pending revocation, suspension, or the existence of any prior letters of reprimand and information relating to job performance.
  - D. Within three business days of receipt of the statement releasing information from prior school district employers, as required by I. C. 33-1210, such statement shall be sent to the prior employers with a request for release of information and documentation to be provided as required by that section.

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

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

### 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 provide notice to the appropriate administrator of the desired number of qualified individuals to be included in the "screening pool". The screening pool shall be defined as the number of individuals having completed applications that may be submitted to the building or program administrator for final screening.
2. Should the building or program administrator desire to have applicants prioritized, he or she shall make such known to the appropriate administrator who will provide the prioritized list of a number consistent with the pool.

### Screening

1. The building or program administrator may establish a committee to assist in the screening process.
2. The committee, upon receiving the written applications from the appropriate administrator, will review those applications for the purpose of:
  - A. Determine those most suited to the position.
  - B. Make personal telephone contact with one or more references submitted by the applicant.
  - C. Contact individuals who might know the candidate, but were not listed as references, if needed.
  - D. Invite the top candidates to be interviewed for the position.
3. The committee will establish the procedures at the building or program level for interviewing the successful applicants.
4. For those applicants who have no prior public school work experience or whose out-of-state former employers will not release documentation requested pursuant to I.C. § 33-1210, the screening committee or administrator may engage in whatever background checks it deems appropriate, but at a minimum shall verify all prior work experience and educational achievement listed by the applicant as the committee or administrator deems appropriate, preferably by contacting the prior employers and/or educational institutions listed by the applicant, and shall communicate with every person listed as a reference by the applicant.
5. Upon determining the qualified applicant, the building administrator will submit to the Superintendent the written recommendation for the applicant to be offered a contract.

### Acceptance Procedure

Once the Committee or administrator 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 concurs with the recommendation, the Superintendent will:

1. Authorize a statement of intention to employ, pending Board approval, to be made to the candidate.
2. If, at the time the statement of intention to employ is made, the District has not yet received documentation requested pursuant to I.C. 33-1210(3), the District may provisionally employ such applicant on a non-contracted basis for up to 30 days after receipt of the documentation. Within that thirty day time period, the Board may issue a written statement to the applicant identifying why a standard contract will not be issued and specifying which information justifies such decision. The Board may not identify any reason for non-issuance of a standard contract not based on the documentation received. If, within 30 days from the receipt of the information requested pursuant to I.C. 33-1210(3) no contract is issued or the written statement of non-employment is not provided to the applicant, the employee will be deemed to be employed pursuant to a Category A contract. During this provisional employment, the applicant shall be provided the same compensation and benefits as if the employee had been employed on a standard certificated contract.
3. Upon receiving verbal or written statement on intention to acceptance employment, pending Board approval, 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.
4. Submit to the Board of Trustees such recommendation.

#### Board Action

The Board of Trustees of Garden Valley School District No. 71 will:

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

#### Approval

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 Board may declare the position vacant. Should the candidate not be approved, or the person willfully refuses 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.

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

### Certification

To qualify for employment, each teacher or administrator must have and maintain during the entire school year, a valid Idaho teaching/administrative certificate on file in the District Office at the beginning of the school year. Salary will be withheld if the certificate is not on file by September 10 of the given year, unless other arrangements with the District Office have been previously made. If at any time the teacher/administrator's certification lapses, is revoked, or suspended, the certificated employee may be subjected to action declaring a contract violation and possible action to terminate the employment of the individual with the District.

### Cross Reference:

5110	Fingerprinting and Criminal Background Investigations
5120	Equal Employment Opportunity and Non-Discrimination
5100F1, 5100F2, 5100F3	Hiring Process and Criteria Forms
5740PA1 – 2	Reduction in Force Procedures and 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. § 74-206	Executive Sessions—When Authorized

### Policy History:

Adopted on: 02-13-2012  
Reviewed: 7/9/2011: 3/10/2020  
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4/14/2020  
Approved: 09-13-2019