

THE NETWORK SCHOOLS PERSONNEL POLICY

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5000 Goals

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

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

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

Policy History:

Adopted: 8/15/2012 Reviewed: 11/5/15-
1/19/16 Revised: 1/19/2016

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5100 Hiring Process and Criteria

The Board of Directors has the legal responsibility of hiring all employees. The Board assigns to the Executive Director the process of recruiting staff personnel. The Executive Director 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 Executive Director or designee and approved by the Board. All personnel selected for employment must also go through the applicable screening process outlined in Idaho Code 33-1210.

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

This policy shall be made available to any The Network Schools employee or person seeking employment with The Network Schools.

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 certification and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to The Network Schools all information relating to job performance or job related conduct, and making available to the School copies of all documents in the applicant's previous personnel files, investigative files, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The Network Schools 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 Network Schools' request. See Forms 5100F1 and 5100F2.
3. Applicants 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. As required in Idaho Code 65-505, The Network Schools will observe preference for veterans and disabled veterans when considering hiring employees to fill vacancies, selecting new employees, or implementing a reduction in force.
5. As required in Idaho Code 33-130 and 33-512(15), The Network Schools will conduct a criminal history check for applicable positions. See Policy 5110.
6. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.
7. Applicants must have an understanding of The Network Schools mission and vision and a desire to meet the intent of The Network Schools in addressing its unique reason for establishment.

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

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

Notice of Vacancies

Vacancies will be posted following written resignation from a contracted professional employee of The Network Schools, when a termination has occurred, or if a new position is created within the School. The Executive Director shall develop procedures for the posting of available positions within The Network Schools.

1. Job Vacancy Notices: Any notice from The Network Schools 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:
 - a. A completed Network Schools application form;
 - b. Official transcripts of all university or college credits;
 - c. A placement center file;
 - d. A personal resume;
 - e. Verification or eligibility of Idaho certification; and
 - f. A signed statement/release for current and past school 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 required for a completed application listed above.
 - A. Such information must be received prior to the cutoff date for receiving applications as specified in the vacancy notice.

- B. It will be at the discretion of the Executive Director or the appropriate administrator to determine whether such deadlines should be extended to accommodate individuals where placement center files, transcripts, or other materials are not yet received by The Network Schools 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 Network Schools 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 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 employers, information received pursuant to such request may be reviewed prior to or after interviews have been concluded, at the discretion of The Network Schools. 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 Network Schools Office.

Screening

1. The administrator may establish a committee to assist in the final screening process.
2. The committee, upon receiving the written applications from the administrator, will review those applications for the purpose of:
 - A. Determining those most suited to the position;
 - B. Making personal telephone contact with one or more references submitted by the applicant;
 - C. Contacting individuals who might know the candidate, but were not listed as references, if needed; and
 - D. Inviting 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 administrator will submit to the Executive Director 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 Executive Director who will review the applicant's credentials with the administrator. If the Executive Director concurs with the recommendation, the Executive Director will:

1. Authorize a statement of intention to employ, pending Board approval, to be made to the candidate.
 - A. If, at the time the statement of intention to employ is made, The Network Schools has not yet received documentation requested pursuant to I.C. 33-1210(3), the School may provisionally employ such applicant on a non-contracted basis for up to 30 days after receipt of the documentation. Within that 30 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 certificated employee 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.

If no documentation is received from out of state employers, The Network Schools may employ the applicant on the School's certificated employee contract without utilizing the provisional, non-contracted employment.

- B. Upon receiving a verbal or written statement of intention to accept employment, pending Board approval, by the candidate, the Executive Director will prepare the necessary papers for recommendation to the Board of Directors at the next regular or special Board meeting.
 - C. Submit to the Board of Directors such recommendation.

Board Action

The Board of Directors of The Network Schools will:

1. Have placed before it all candidate names for the position; and
2. Discuss hiring and, in situations wherein the individual qualifications of the applicant are discussed, go into executive session pursuant to law; and

3. Vote relating to approval or disapproval of the candidates. If members of the Board personally have knowledge not available to the administrator and the screening committee the Board will not take action until all concerns have been reviewed by the administrator.

Approval

Upon approval by the Board of Directors, a contract will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-5206(4). The applicant must sign the contract and return it within ten 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 or designee may declare the position vacant. Should the candidate not be approved, or if the person willfully refuses to acknowledge receipt of the contract or if the contract is not signed and returned to the Board, the Executive Director will remand the situation to the administrator and screening committee to provide the next applicant's name for consideration.

Any person on provisional employment pursuant to 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 Network Schools Office at the beginning of the school year. 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 School.

Cross References: Personnel Policy 5100F1 Hiring Process and Criteria Form
 Personnel Policy 5110 Criminal History/Background Checks
 Personnel Policy 5120 Equal Employment Opportunity and Non-Discrimination
 Personnel Policy 5740 Reduction in Force

Legal References: I.C. § 33-130 Criminal History Checks for School District Employees or Applicants for Certificates
 I.C. § 33-1210 Information on Past Job Performance
 I.C. § 33-5204 Nonprofit Corporation – Liability –
 Insurance
 I.C. § 33-5206 Requirements and Prohibitions of a
 Public Charter School
 I.C. § 33-5210 Application of School Law – Accountability – Exemption from State Rules
 I.C. § 65-505 Officials to Observe Preference
 I.C. § 65-501 et seq. Rights and Privileges of Veterans
 I.C. § 74-206 Executive Sessions—When Authorized

IDAPA 21.01.06 Rules for the Enforcement of the Veteran's
Preference in Public Employment
IDAPA 08.02.04.300 Public Charter School Responsibilities

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 10/17/2016	Revised: 10/17/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 8/19/2019	Revised: 8/19/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 9/20/2021	Revised: 9/20/2021

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5100P1 Procedures for Obtaining Personnel Records for Applicants

1. Before hiring an applicant for employment in a certificated or non-certificated position The Network Schools shall have the applicant sign the statement/release (form 5100F) and provide a list of their previous employers. The list may be obtained via resume or application. The Network Schools will not hire an applicant who refuses or fails to sign the statement/release.
2. The signed statement/release will then be sent by The Network Schools to each and every, current or past, in state or out of state, school employer of the applicant along with a request for information relating to job performance and/or job-related conduct.

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

3. The Network Schools may follow up with current or past school employers if the information requested has not been received within 25 days from the date the request was sent. The Network Schools may hire non-certificated applicants on a non-contractual conditional basis pending receipt of the information requested. Applicants shall not be prevented from being hired if an out of state current or past school employer refuses to comply with the request. The Network Schools will attempt to obtain a written refusal along with the reason for the refusal from the non-compliant out of state school employer. The written refusal shall be kept as a part of the applicant's file. The Board directs the Executive Director to establish steps to be taken in confirming prior work experience and checking references of new employees whose former employers refuse to release documentation, and for those with no prior public school work experience.
4. The Network Schools shall also request the State Department of Education provide verification of certification status as well as any past or pending violations of the Professional Code of Ethics and information related to the job performance of the applicants for any certificated position (form 5100F3).
5. When such information and documentation is not received prior to screening or interviews, The Network Schools will review such information no less than 30 days after it has been received. If an applicant has been offered provisional employment pursuant to I.C. 33-1210(7), The Network Schools should review the documentation within ten days of receipt. If a written statement of non-employment is to be provided to the provisional employee, it shall be provided before the end of 30 days after the receipt of the documents. If the provisional employee is to be employed by The Network Schools, a written contract should be provided prior to the end of the 30 day period. It is the goal of The Network Schools to

avoid any situation where an applicant or provisional employee is employed by default or without a written contract.

6. The Network Schools shall use information received from the applicant's current or past employers only for the purposes of evaluating an applicant's qualifications for employment in the position for which the applicant has applied. No Board member or The Network Schools employee shall disclose the information received to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment.

Procedure History:

Promulgated 8/19/2019 Reviewed: 4/27/2020 Revised: 4/27/2020
on:

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5100F1 Professional Experience Release Form

SECTION 1: TO BE COMPLETED BY EMPLOYEE

I hereby authorize (current/former employers) that are accredited school district(s) and/or private or parochial schools, to provide and return the requested information on this form to The Network Schools by mail or via electronic means.

Signature: _____

Date: _____

1. NAME-LAST, FIRST, MIDDLE		1a. MAIDEN / FORMER NAME	
2. SOCIAL SECURITY	3. PHONE HOME ()	4. EMAIL ADDRESS	
5. ADDRESS (STREET, CITY, STATE, ZIP CODE)			

SECTION 2: TO BE COMPLETED BY EMPLOYER

This section **MUST** be prepared and signed by Human Resource personnel, Superintendent or the Clerk from the state accredited school district or private/parochial school where the applicant was employed. Please do not include substitute teaching.

CERTIFIED EXPERIENCE Grades/Positions Held	FROM	TO	FTE 100%	FTE 50%

1. Was certified employment with the same school district for four continuous years or more? Yes or No _____
2. Transfer unused sick leave balance (in hours) for certified employees of Idaho School Districts. _____

Please return completed form by mail to:
The Sage Network Schools/Human Resources
1513 Tyrell Lane #110, Boise, ID 83706
For questions call (208) 343-7243.

Verified By (Printed Name)

Title

Signature

Date

School District and Phone No.

Form History:

Adopted on: 4/27/2020 Reviewed: Revised:

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5100P2 Veterans' Preference

The Network Schools shall give preference in hiring, and in the case a reduction in force, consideration for a retention, to veterans, unmarried widows and widowers of veterans, and the spouse of any veteran who is unable to work in public employment due to a service-connected disability. Such applicants shall be referred to as "preference eligible applicants" throughout this policy.

This preference does not apply to temporary positions or to appointments to the Board.

For the purpose of this policy, "veterans" means any person who has been discharged or released from active duty in the armed forces under honorable conditions who served on active duty for at least 180 consecutive days.

The Network Schools shall post this procedure on the School's website and shall note on all announcements and advertisements of applicable vacancies that preference will be given to preference eligible applicants. Applications for qualifying positions shall ask whether the applicant is claiming veterans' preference and whether the applicant has previously claimed such a preference. The form shall also indicate what documentation is required to confirm veteran status.

Any application for a position submitted by a preference eligible applicant shall be considered, provided it is received before a candidate is chosen to fill the position, regardless of whether the application is received before the deadline to receive applications.

The Network Schools shall interview all preference eligible applicants who qualify for the position for which they have applied unless the total number of preference eligible applicants applying for a position exceeds ten.

A preference eligible applicant shall be hired in cases where no other employee is more qualified or there is no articulable reason to select another candidate.

Appeal Process

If an applicant or employee believes they have been denied preference to which they are entitled under this procedure, they may appeal the decision within 35 days of the alleged denial of preference by submitting a written request for appeal to the Board clerk. Such request must include:

1. The applicant or employee's full name and mailing address;

2. A request for either a telephonic or a face-to-face hearing. In the former case, the telephone number where a telephonic hearing may be conducted must be included;
3. The position applied for (if applicable);
4. A brief statement of the applicant or employee's basis of eligibility for a preference;
5. A brief statement of the issues the applicant or employee proposes to raise at the hearing; and
6. Any dates or times the petitioner or the petitioner's attorney cannot be available for a hearing.

The Board shall direct the Principal to notify the applicant or employee of the time and date of the hearing and that the Board shall be the presiding officer at the hearing. Such notice shall be provided at least seven days before the hearing and indicate:

1. Whether the meeting will be by phone or in person;
2. The location of the meeting, if it will be held in person. In person meetings may only be held in the city where the position is located unless the parties agree otherwise; and
3. The address to which relevant documents must be sent.

The hearing shall be held within 35 days of receipt of the request unless good cause to extend the hearing is shown by the Board or by the applicant/employee, in which case the hearing must be held within 70 days.

Prior to the hearing, each side shall notify the others of the witnesses they intend to call and provide one another with copies of any documents to be presented. Evidence may be considered or rejected in accordance with IDAPA 21.01.06.103.03.

The applicant or employee may be represented by an attorney, at their own expense, if they choose.

The Board shall issue a written order reflecting its decision on the matter within 35 days of the hearing. The order shall include:

1. Specific findings on all major facts at issue;
2. A reasoned statement in support of the decision;
3. All other findings and recommendations of the Board;
4. A preliminary decision finding that a preference was or was not applied by the public employer as required by Idaho law;
5. The procedure and time limits for filing an appeal to the Charter School court under Section 65-506, Idaho Code.

Procedure History:

Promulgated on: 8/19/2019 Reviewed: Revised:

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5105 Certificated Personnel Reemployment

Pursuant to Idaho Code Section 33-5206(4), the employment of The Network Schools teachers and administrators shall be on a written contract conditioned upon a valid certificate being held by such professional personnel at the time of entering upon the duties thereunder.

Definitions

Certificated Personnel: Any person employed in a teaching, instructional, supervisory, educational administrative or educational and scientific capacity, and any school nurse or school librarian.

Contracts

1. Limited Duration Teacher or Administrator Contract: A Limited Duration Contract is a limited one-year contract with: (1) a Certificated employee and entered into **after August 1st** and specifically offered for the limited duration of the ensuing school year; or (2) an employee in the first year of an Alternative Authorization Plan and specifically offered for the limited duration of the ensuing school year.
2. Initial Teacher or Administrator Contract: An Initial Contract is a one-year contract with (1) a Certificated employee for the first and second years of continuous, full-time employment with The Network Schools; and (2) employees on an Alternative Authorization plan in their second and third consecutive years of full-time employment with The Network Schools.
3. Standard (Renewable) Teacher or Administrator Contract: A Standard Contract is a one-year contract with a Certificated employee in the third year, and ensuing years, of continuous, full-time employment at The Network Schools with the exception of Interim Certificate holders.
4. Grandfathered (Renewable) Teacher Contract: A Grandfathered Teacher Contract is an annual, one-year contract with a certificated employee that was under a Renewable Contract with The Network Schools, pursuant to Idaho Code 33-515, during the 2016-17 school year.

Renewal or Notice of Non-Renewal for Performance-Based Reasons

1. Limited Duration Teacher or Administrator Contract: Limited Duration contracts automatically terminate at the end of the stated limited term without any notice from The Network Schools to the employee is needed.
2. Initial Teacher or Administrator Contract: If, for performance-based reasons, The Network

Schools determines not to offer a re-employment contract for the ensuing school year to a certificated employee on an Initial Contract, The Network Schools shall provide the employee a written statement of reason(s) for non-reemployment no later than July 1st of the contract year. If The Network Schools provides the above-referenced written statement of non-reemployment, the employee will have no right to or expectation of re-employment. No property rights shall attach to an Initial Contract. The employee shall not be entitled to Board review of the reason(s) or decision not to reemploy.

3. Standard (Renewable) Teacher or Administrator Contract: If The Network Schools determines to offer the certificated employee a contract for a third year of consecutive full-time employment, The Network Schools will offer the employee a Standard Contract, and upon the employee's timely signing and returning of the Standard Contract for a third year of consecutive full-time employment, the employee will be entitled to renewal of their annual Standard Contract in ensuing years, unless The Network Schools follows the non-renewal process outlined herein:

The Network Schools may only determine not to renew a certificated employee's Standard Contract for performance-based reasons as follows:

- A. The Network Schools will provide the employee with a written statement of reason(s) for non-reemployment no later than June 1st of the contract year. The written statement shall include at a minimum: (a) a summary of the performance-related concerns; (b) the employees 2 most-recent evaluations; and (c) a summary of any efforts by administration to address the performance-related issues with the employee.
- B. The written statement will inform the employee of their right to a Board Review of the non-reemployment decision in accordance with the Policy 5107; and
- C. Following the Board Review, if a review is requested and undertaken, the Board will provide the employee with written notification of a decision: (a) to issue a Standard Contract to the employee for the ensuing school year; or (b) not to renew the employee's contract upon completion of current contract.

Within four business days of receiving the Written Statement, the employee may provide written notice to the Board Clerk accepting non-renewal of their contract upon completion of employee's current contract. Employee's acceptance of non-renewal shall not act as an acceptance or admission of the reason(s) for non-reemployment stated in the written notice.

4. Grandfathered Renewable Teacher Contract: With respect to certificated employees on renewable teacher contracts with The Network Schools, pursuant to Idaho Code 33-515, during the 2016-17 school year, the employees are entitled to renewal of their annual contract in ensuing years. These contracts will be referred to as Grandfathered Renewable Teacher Contracts and shall provide that the Board may only determine not to renew the employee's contract for unsatisfactory performance by following the procedures outlined in Idaho Code 33-515(5) and (6). Board hearings on recommendations of discharge, Idaho Code 33-513(5), shall be conducted in executive session.

Supplemental Duty and Extra Day Contracts

An extra duty assignment is, and extra duty supplemental contracts may be issued for, an assignment which is not part of a certificated employee's regular duties. A supplemental contract for extra duties shall be separate and apart from the certificated employee's underlying contract and no property rights shall attach. Supplemental Contracts automatically terminate at the end of the stated term without any notice from The Network Schools to the employee is needed.

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

Reciprocity

The Network Schools shall have the option, in its sole discretion, to grant Standard Contract status when hiring a certificated employee who has been on a renewable contract with another Idaho school district or charter school or who has out-of-state experience which would otherwise qualify the certificated employee for renewable contract status in Idaho. Alternatively, The Network Schools can place the certificated employee on an Initial Contract.

Delivery of Contract

The Network Schools will deliver Initial Contracts, Standard Contracts and Grandfathered Contracts to certificated employees for the ensuing school year by July 1 of the contract year. Delivery of a contract may be made only in person, by certified mail, return receipt requested, or electronically, return receipt requested. If delivery is made in person, the delivery must be acknowledged by a signed receipt.

If The Network Schools delivers contracts via electronic means, with return electronic receipt, and The Network Schools has not received a returned signed contract and has not received an electronic read receipt from the employee within a period of 3 days, The Network Schools shall then resend the original electronically delivered contract to the employee via certified mail, return receipt requested, and provide such individual with a new date for contract return.

Return of the Contract

A person who receives a proposed contract from The Network Schools shall have ten (10) calendar days from the date of delivery to sign and return the contract to the Board Clerk.

Failure to Accept or Acknowledge

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

Retired Teacher Employment

Certificated personnel receiving retirement benefits from the public employee retirement system of Idaho, except those who received benefits under the early retirement program previously provided by the State, shall be hired as at-will employees. Contracts for retired teachers are specifically offered for the limited duration of the ensuing school year, and no further notice is required by The Network Schools to terminate the contract at the conclusion of the contract year.

Interim Certificate Holder

A certified employee who holds an interim certificate while they pursue an alternate route to certification must complete at least nine semester credits annually toward the completion of their alternate route to certification and meet their annual progress goals toward the completion of the alternate route. The Network Schools may take action to terminate or non-renew a teacher with an interim certificate who fails to meet these requirements. Such termination or non-renewal shall be carried out in accordance with State law and Administrative Rules and The Network Schools policy. Personnel who hold an interim certificate and/or emergency authorization and have not been issued their five year renewable certificate shall not exceed an Initial Teacher or Administrator Contract until conditions have been met.

Cross References: Personnel Policy 5340 Evaluation of Certificated Personnel
Administration Policy 6100 Executive Director

Legal References:	I.C. § 33-507	Limitation up Authority of Trustees
	I.C. § 33-513	Professional Personnel
	I.C. § 33-514	Issuance of Annual Contracts – Support Programs – Categories of Contracts – Optional Placement
	I.C. § 33-515	Issuance of Renewable Contracts
	I.C. § 33-515A	Supplemental Contracts
	I.C. § 33-5206	Requirements and Prohibitions Upon a Charter School
	I.C. § 33-1004H	Employing Retired Teachers and Administrators

Policy History:

Adopted: 1/19/2016	Reviewed: 4/2017	Revised: 5/15/2017
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 8/19/2019	Revised: 8/19/2019
	Reviewed: 9/20/2021	Revised: 9/20/2021

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5107 Informal Review Procedures

Employees Who May Request an Informal Review

The Network Schools' certificated employees on a Standard Teacher or Administrator Contract may request an informal review for the Board's decision to not reemploy.

Informal Review Procedures

Written Request and Statement. The employee must submit to the Board Clerk, in writing, a request for an Informal Review; the written request must include a statement explaining the reasoning for disagreement with the Board's employment decision. The statement must not exceed to two pages. The employee must submit the written request and statement within ten (10) calendar days of the date the Board mails or hand delivers to the employee the notice of non-reemployment

1. The Board will provide the employee an opportunity to meet with the Board in executive session within ten (10) days of the date the request for Informal Review is submitted wherein the employee may provide an additional statement explaining their disagreement with the Board's decision.
2. The Board will notify the employee, in writing, of its final decision in the matter within fifteen (15) days of the date of the Informal Review.

During Informal Review, the employee does not have the right to be represented by an attorney or a representative of the state teachers association, present evidence or cross-examine witnesses unless specifically agreed to by the Board in writing. The Board may elect to ask questions of the employee, but this does not confer upon the employee the right to ask questions of the Board.

Cross Reference: Personnel Policy 5105 Certificated Personnel Reemployment

Legal Reference: I.C. § 33-5206 Requirements and Prohibitions Upon a
Charter
School

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 4/2017	Revised: 5/15/2017
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5110 Criminal History / Background Checks

General

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

Background Checks

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

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

Prior Conviction Discovered

Where a prior conviction is discovered, The Network Schools will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which application is sought, or in which the person is employed. The Network Schools shall not hire any individual convicted of a felony offense listed in I.C. § 33-1208(2).

Misrepresentations and Omissions

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

Criminal History Check - Initial Hires

In order to protect the health, safety and welfare of the students of The Network Schools, in compliance with Idaho law, The Network Schools shall subject the following persons to criminal history checks:

1. Certificated and non-certificated employees;
2. All applicants for certificates;
3. Substitute staff;
4. Individuals involved in other types of student training such as practicums and internships; and

5. All individuals who have unsupervised contact with students.

Criminal History Check - Contents

Criminal history checks shall be based on a complete ten (10) finger fingerprint card or scan and include, at a minimum, the following:

1. Idaho bureau of criminal identification;
2. Federal bureau of investigation (FBI) criminal history check; and
3. Statewide sex offender register.

Criminal History Check - Timing

The Network Schools will require employees to undergo, and will complete, a criminal history check within five (5) days of starting employment or unsupervised contact with students, whichever is sooner.

Criminal History Check – Fee and Retention

It will be the responsibility of The Network Schools employee to complete a criminal history check including fingerprinting at the time of employment. The State Department of Education maintains a file of all criminal history check records on file.

Employee Arrest or Conviction – Reporting Requirement

All employees shall have the continuing duty to notify The Network Schools in writing of any arrest or criminal conviction that occurs subsequent to being hired by The Network Schools.

In the event that any employee, whether full-time or part-time, probationary or non-probationary, classified or certified, is arrested, charged or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions, he/she is required to report such arrest in writing promptly to the Human Resources representative or supervisor within one (1) business day unless mitigating circumstances exist. The written notice must list any and all charges related to the arrest or conviction. The Human Resources representative or supervisor shall contact the Executive Director and Lead Administrator of the school where the employee works upon receiving written notification that an employee has been arrested or has a protection order served against him/her. This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty.

Failure to Report

Failure by any employee to comply with the above arrest or conviction reporting requirement shall be grounds for disciplinary action, up to and including termination.

Protection Orders

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

Disciplinary Action

The Network Schools reserves the right to determine appropriate disciplinary action in cases of arrest, conviction or protections orders, up to and including termination, depending upon the facts and circumstances surrounding the incident. It is in the sole discretion of The Network

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

Substitute Teachers

The State Department of Education maintains a statewide list of substitute teachers. The State Department of Education requires substitute teachers to undergo a criminal history check every five (5) years to remain on the substitute teachers list. If a substitute teacher has undergone a criminal history check within five (5) years, The Network Schools may in its sole discretion, not require a substitute to undergo a criminal history check. If The Network Schools does desire a substitute teacher who has undergone a criminal history check within the last five (5) years to undergo an additional criminal history check, The Network Schools may require the criminal history check. The substitute teacher will pay for the cost of a criminal history check.

Other Employees

The Network Schools may subject any employee to criminal history check(s). If required, The Network Schools will pay the costs of such checks.

Volunteers – Fingerprint Criminal Background Investigation

The Network Schools shall require any volunteer who has regular unsupervised access to students, as determined by the Executive Director or the Administrative Staff's designee, to submit to a fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to volunteering. Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. The volunteer will pay for the cost of a criminal history check.

Volunteers – Prior Record

If a volunteer has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Lead Administrator, who shall decide whether the volunteer is suitable to be in the presence of the students in The Network Schools. The Network Schools shall not consider in the hiring process arrests resolved without conviction process unless the charges are pending.

Contractors- Crosscheck State Sex Offender Register

The Network Schools maintains a safe environment for students by developing a system that cross-checks all contractors or other persons who have regular contact with students against the statewide sex offender register.

Confidentiality

The Network Schools will maintain all confidential information concerning outstanding warrants, criminal charges and/or protective orders as confidential. An employee who is provided access to such information relating to another employee shall ensure that the information remains confidential. If an employee discloses such information without authorization, the employee shall be subject to disciplinary action.

Legal References: I.C. § 33-130 Criminal history checks for school district employees
or applicants for certificates
I.C. §33-512 Governance of schools
I.C. §9-340(C) Records Exempt from Disclosure
Public Law 105-251 Volunteers for Children Act

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-	Revised: 1/19/2016
	1/19/16	
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5120 Equal Employment Opportunity and Non-Discrimination

General Policy

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

Inquiries regarding discrimination should be directed to the Human Resources representative. Specific written complaints should follow the Uniform Grievance Procedure.

Incompliance with federal regulations, The Network Schools will notify annually all students and applicants of this policy and the designated coordinator to receive inquiries. Notifications should include the name and location of the coordinator.

Cross References: Personnel Policy 5100 Hiring Process and Criteria
Personnel Policy 5250 Certified Staff Grievances

Legal References: IC § 33-5206 Requirements and Prohibitions of a Public
Charter School
IC § 67-5909 Commission on Human Rights-Acts Prohibited
IDAPA 08.02.04.300 Public Charter School Responsibilities
Pub. L. 99-603 Immigration Reform and Control Act of 1986
20 USC §§ 1681-1682 Title IX of the Education Amendments of
1972
29 USC § 206(d) Equal Pay Act of 1963-Prohibition of Sex
Discrimination
29 USC § 701, , et seq. Section 504 of the Rehabilitation Act of
1973
42 USC §§ 2000(e), et seq., Title VII of Civil Rights of 1964
42 USC §§ 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

Employment	29 C.F.R. § 1604.10	Pregnancy Discrimination Act-
		Policies Relating to Pregnancy and Childbirth
Education	34 C.F.R., Part 106	Nondiscrimination on the Basis of Sex in Programs or Activities Receiving Federal Financial Assistance (Implementing Title IX)

Policy History:

Adopted: 8/15/2012	Reviewed: July 2015	Revised: July 2015
	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

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5200 Policy Manual Applicability

Policy Manual Conflict with Collective Bargaining Agreement

Except where expressly provided to the contrary, personnel policies apply uniformly to the employed staff of The Network Schools. However, where there is a conflict between the terms of a collective bargaining agreement (if any) and The Network Schools' policy, the law provides that the terms of the collective bargaining agreement shall prevail for the staff covered by that agreement. When a matter is not specifically provided for in an applicable collective bargaining agreement, the policies of the Board shall govern to effectively and efficiently manage The Network Schools.

Policy Manual and Classified Employees

Classified employees are employed at will and the Policy Manual is not intended to express a term of an employment agreement. The provisions of this Policy Manual do not create a property right which would modify The Network Schools' right to terminate the employment relationship of classified employees at will.

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5205 Job Descriptions and Evaluations

Job Descriptions

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

Annual Evaluation

Once each year or as provided by Idaho Code, the supervisors of all employees shall confer with each person under his or her supervision to review the individual's work. The Network Schools shall document the evaluation. Both the supervisor and employee shall sign the evaluation form; however, neither person should sign the evaluation form before fully reviewing and discussing its contents. The supervisor will give one signed copy to the employee and one signed copy to the Administrative Staff or supervisor to be maintained in the employee's personnel file.

Cross Reference: Personnel Policy 5500 Personnel Files

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 4/27/2020	Revised: 4/27/2020

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5210 Length of Work Day

Length of Work Day - Certified

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

Length of Work Day - Classified

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

Legal References: 29 USC 201 to 219 Fair Labor Standards Act of 1985
29 CFR 516, et seq.FLSA Regulations

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5220 Assignments, Reassignments, Transfers

All staff shall be subject to assignment, reassignment and/or transfer of position and duties as determined by the Administrative Staff or the Executive Director.

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 Network Schools.

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 Administrative Staff or the Executive Director.

Teachers shall be assigned at the levels and in the subjects for which their certificates are endorsed. With the Executive Director's review and approval. The Administrative Staff shall provide for a system of assignment, reassignment and transfer of classified staff, including voluntary transfers and promotions. 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 as described in Policy 5107.

Classified Staff

The right of assignment, reassignment and transfer shall remain that of The Network Schools. The Executive Director, or Administrative Staff shall provide written notice of a reassignment or involuntary transfer to the staff member. The Executive Director, or Administrative Staff shall provide the staff member an opportunity to discuss the proposed transfer or reassignment.

Teaching Assignments

All teachers shall be given written notice of their teaching assignments relative to grade level, building and subject area before the beginning of the school year.

Provisions governing vacancies, promotions and voluntary or involuntary transfers may be found in The Network Schools Employee Handbook.

Policy History:

Adopted: 8/15/2012

Reviewed: 11/5/15-
1/19/16

Revised: 1/19/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

Reviewed: 8/19/2019

Revised: 8/19/2019

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5230 Accommodating Individuals with Disabilities

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

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

The Federal Programs Coordinator is designated the Americans with Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

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

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

Cross Reference: Personnel Policy 5250 Certificated Staff Grievances

Legal References: 42 U.S.C. §§ 12101, et seq., & 12131, et seq. The Americans with Disabilities Act
28 C.F.R. Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services (Implementing the ADA)
I.C. 33-5206 Requirements and Prohibitions of a Public Charter School
IDAPA 08.02.04.300 Public Charter School Responsibilities

Policy History:

Adopted: 4/27/2020

Reviewed:

Revised:

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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 Network Schools 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.

The Network Schools 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 Grievance Procedure in 5250.

Investigation

If an allegation of sexual harassment is found to not fall within the scope of Policy 3085 and Procedure 3085P, but still claims conduct which violates this policy, the designated school officials will take immediate steps to:

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

Confidentiality

Due to the damage that could result to the career and reputation of any person accused falsely or in bad faith of sexual harassment, all investigations and hearings surrounding such matters will be designed, to the maximum extent possible, to protect the privacy of, and minimize suspicion towards, the accused as well as the complainant. Only those persons responsible for investigating and enforcing this policy will have access to confidential communications, unless otherwise required by Policy 3085 or Procedure 3085P. In addition, all persons involved in an allegation which falls within the scope of this policy, and not within the scope of 3085 or 3085P are prohibited from discussing the matter with coworkers and/or other persons not directly involved in resolving the matter.

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

Cross Reference:	5250	Certificated Staff Grievances
	3085	Sexual Harassment, Discrimination and Retaliation
Policy	3085P	Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions

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

Prohibited

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 10/26/2020	Revised: 10/26/2020

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5250 Certified 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 The Network Schools 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 supervisor. 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 Executive Director within ten working days of the date of the initial event allegedly giving rise to the grievance.

The Executive Director or his or her designee shall meet with the grievant and shall, at the discretion of the Executive Director or designee, seek whatever additional documentation the Executive Director deems appropriate, and conduct whatever additional meetings or investigative activities the Executive Director or designee believes are necessary to address the grievance.

Subsequent to these activities and within a period of ten working days, the Executive Director 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 Executive Director, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within five days of receiving the Executive Director's decision. The Board is the policy-making body of The Network Schools, 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 Executive Director 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 Executive Director, 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 Policy, 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

Procedure History:

Adopted: 8/15/2012	Reviewed: 11/5/15-1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 11/18/2019	Revised: 11/18/2019
	Reviewed: 10/26/2020	Revised: 10/26/2020

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5260 Abused and Neglected Child Reporting

General

The personal safety and welfare of each child is of paramount concern to the Board, employees and patrons of The Network Schools. It is of particular importance that employees within The Network Schools become knowledgeable and thoroughly educated as to their legal and ethical responsibilities on observation and reporting of suspected child abuse, child abandonment or child neglect. The Human Resources representative or Administrative Staff shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

Definitions:

Abuse: any case in which a child has been the victim of conduct or omissions resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling; sexual conduct including rape, molestation, incest, prostitution; obscene or pornographic photographing, filming or depiction for commercial purposes or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child due to abandonment or neglect.

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

Neglected: 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.

Reporting

A Network Schools employee who has reasonable cause to suspect that a student may be an abused, abandoned or neglected child or who observes a child being subjected to conditions which would reasonably result in abuse, abandonment or neglect shall: (1) report or caused to be reported such a case to local law enforcement or the Department of Health and Welfare within twenty-four (24) hours; and (2) immediately report the case to the Human Resources representative or their Supervisor.

The Human Resources representative or Supervisor shall in turn report or caused to be reported the case to local law enforcement or the Department of Health and Welfare within twenty-four (24) hours.

Immunity

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

False Reporting

In addition, pursuant to Idaho Code Section §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.

Failure to Report

Any Network Schools employee who fails to report a suspected case of abuse, abandonment or neglect to the Department of Health and Welfare or local law enforcement as outlined above, or who prevents another person from doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and may be charged with a misdemeanor or face other criminal or civil charges. The employee will also be subject to disciplinary action up to and including termination.

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

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5260F Report of Suspected Child Abuse, Abandonment or Neglect Form

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

Copy to: Human Resources _____
Executive Director _____
School Administrator _____

From: _____ Title: _____

School: _____ Phone: _____

Persons contacted: Exec Director _____ School Administrator _____ Teacher _____ Other _____

Name of Minor: _____ Date of Birth: _____

Address: _____ Phone: _____

Date of Report: _____ Attendance Pattern: _____

Father: _____ Contact Info: _____

Mother: _____ Contact Info: _____

Guardian or Step-Parent: _____ Contact Info: _____

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 Executive Director / School Administrator):

Date Received: _____ Date of Investigation: _____

Form History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5265 Employee Responsibilities Regarding Student Harassment, Intimidation & Bullying

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

Intervention

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

Intervention shall be designed to:

- a. Correct the problem behavior;
- b. Prevent another occurrence of the problem;
- c. Protect and provide support for the victim of the act; and
- d. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Professional Development

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

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

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

Student Discipline

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

Reporting

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

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

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

Policy Distribution

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

Cross References: Student Policy 3295-3295P Hazing, Harassment, Intimidation, Bullying,

	Cyber Bullying
Student Policy 3330	Student Discipline
Student Policy 3340	Corrective Actions and Punishment

Legal References: I.C. § 18-917 Hazing
I.C. § 18-917A Student Harassment – Intimidation –

Bullying
Intimidation, and I.C. § 33-1630 Requirements for Harassment,

Bullying Information and Professional Development
I.D.A.P.A. 08.02.03.160 Safe Environment and Discipline

Policy History:

Adopted: 8/15/2012

Reviewed: July 2015

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Reviewed: 11/5/15-
1/19/16

Revised: 1/19/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

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5270 Personal Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of The Network Schools 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 Network Schools, 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 The Network Schools duties. A Network Schools 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. All Network Schools employees should take care 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 Network Schools' own network of communication.

The Human Resources representative, Executive Director and Administrative Staff, may set forth specific rules and regulations governing an employee's conduct on the job.

Legal Reference: I.C. § 33-1208 Revocation, Suspension or Denial of Certificate

Other Reference: Code of Ethics of the Idaho Teaching Profession

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5275 Adult Sexual Misconduct

This policy shall apply to all staff, contractors, and volunteers who have contact with students.

For the purposes of this policy, sexual misconduct is defined as any sexual activity directed at a student, regardless of age, with the purpose of developing a romantic or sexual relationship. It includes activities that are:

1. Physical and non-physical;
2. Conducted in person or through other modes of communication;
3. Conducted before, during, or after school;
4. On The Network Schools property or elsewhere; and
5. Legal and illegal.

Illegal sexual misconduct is characterized by sexual contact between an adult and a child under the age of 18 and includes explicit sexual conduct, solicitation of a minor child to participate in a sexual act, sexual exploitation and dissemination of sexual material harmful to minors. Sexual misconduct also includes such inappropriate verbal conduct as sexual comments or questions, jokes, taunting, and teasing and such inappropriate physical conduct as kissing, hair stroking, tickling, and frontal hugging.

Sexual misconduct is prohibited. Staff and volunteers who engage in sexual misconduct shall be subject to disciplinary activity, including termination. They may also be reported to law enforcement and/or the Department of Health and Welfare, as described in Policy 5260.

To avoid the appearance of impropriety, staff should avoid singling students out for personal attention such as frequent hugging or other physical contact, the giving of gifts, frequent compliments directed toward a particular student, overly personal cards, notes, or electronic communications, or teasing that references gender or contains sexual innuendo. Staff should take reasonable measures to avoid being alone with any student unless there is a legitimate, work-related need to be alone with the student. In cases such as before or after school tutoring, teachers may ask another teacher to be present in the classroom, or such tutoring may be conducted in a less private area with other adults present, such as in the school library.

The Network Schools recognizes that some student interactions occur outside the classroom. The Network Schools employees and volunteers should avoid the appearance of impropriety by refraining from the following behavior:

1. Conducting ongoing, private conversations with individual students that are unrelated to school activities or the well-being of the student and take place in locations inaccessible to others;
2. Inviting a student or students for home visits without informing parents;
3. Visiting the homes of students without the knowledge of parents;
4. Inviting students for social contact off school grounds without the permission or knowledge of the parents; and
5. Transporting students in personal vehicles without the knowledge of parents or supervisors.

Reporting Sexual Misconduct

Any staff member, contractor, or volunteer who has reasonable cause to believe a staff member, contractor, or volunteer has engaged in misconduct or that any other adult has engaged in sexual misconduct on any Network Schools property or at any Network Schools event shall report the misconduct to his or her supervisor, who shall notify the Executive Director or designee. The matter shall be investigated in accordance with Policy 3085 and Procedure 3085P. Investigation of any report of sexual misconduct shall include an investigation of whether the incident constitutes a violation of Title IX.

The incident shall also be reported to The Network Schools Title IX Coordinator to be investigated and addressed in the same manner as a report of sexual harassment.

The individual with reasonable cause to believe sexual misconduct has occurred shall also report the incident in accordance with Policy 5260, if applicable.

False Reports

Making a knowingly false report of sexual misconduct is prohibited and may result in the termination of a staff member or volunteer who makes such a report or in the suspension or expulsion of a student who makes such a false report.

Distribution of Policy and Training

This policy shall be posted on The Network Schools website and provided to all new employees upon hiring, to all volunteers upon acceptance as volunteers. The employee or volunteer shall sign an acknowledgment, to be retained by The Network Schools, indicating that they have received and reviewed a copy of this policy.

The Network Schools shall provide training on preventing and reporting sexual misconduct to all staff who have contact with students.

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

5240 Sexual Harassment/Sexual Intimidation in the
Workplace
5260 Abused and Neglected Child Reporting
5280 Professional Standards Commission (PSC) Code of
Ethics
5325 Employee Use of Social Media Sites, Including
Personal Sites

Legal References: 20 U.S.C. § 1681-82 Title IX of the Educational Amendments
of 1972

US Department of Education: Office of Safe and Healthy Students
Readiness and Emergency Management for Schools (REMS)
Technical Assistance (TA) Center, *A Training Guide for
Administrators and Educators on Addressing Adult Sexual
Misconduct in the School Setting, Readiness and Emergency
Management for Schools* (March, 2017) (available at
<https://rems.ed.gov/docs/ASMTTrainingGuide.pdf>)

Policy History:

Adopted: 11/18/2019	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 10/26/2020	Revised: 10/26/2020

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5280 Professional Standards Commission – Code of Ethics

The latest version of the Code of Ethics for Idaho Professional Educators can be found at the Idaho State Department of Education's website. (IDAPA 08.02.02.076).

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-	Revised: 1/19/2016
	1/19/16	
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5285 Solicitations

Solicitations by Staff Members

Teachers and other employees of The Network Schools will not sell, solicit for sale, or advertise for sale for personal gain any merchandise or service; nor will teachers or other employees organize students for such purposes without the approval of the Administrative Staff.

Solicitations of Staff Members

Non-school organization may not solicit funds from employees or distribute flyers related to fund drives through the schools without the approval of the Administrative Staff.

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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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 Network Schools 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 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 Network Schools 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 Network Schools employee to express his or her personal, constitutionally protected political views.

No Network Schools employee may use 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 for election or political campaigns, private or charitable organizations or foundations or ballot issues.

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

Legal References: Pub. L. 76-252
I.C. § 74-6-1 Public Integrity in Elections Act
Idaho Constitution Article III, Section 1

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5310 Tobacco Free, E-Cigarettes and Vaping

The Network Schools maintains tobacco free buildings and grounds which includes E-Cigarettes and Vaping. Use of tobacco, E-Cigarettes and Vaping will not be allowed in any buildings or grounds; nor will employees be allowed to use tobacco, E-Cigarettes or Vape while on duty. Upon hiring, The Network Schools will direct new employees not to use tobacco, E-Cigarettes or Vape in school buildings or on school grounds. Limitations or prohibitions on tobacco, E-Cigarettes and Vaping use are applicable to all hours.

Legal Reference: I.C. § 39-5501 et seq. Clean Indoor Air Act

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5320 Drug and Alcohol-Free Workplace

General

The Network Schools is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of the students we serve as well as the general public. The use of illegal drugs, the abuse of alcohol, and the misuse of prescription drugs is unacceptable. All Network Schools workplaces are drug- and alcohol-free workplaces.

Written Information to Employees

The Network Schools shall provide all employees with written information notifying them of the prohibitions pertaining to controlled substances, consequences of violations, and compliance with the drug and alcohol-free policy as a condition of employment.

Employee Prohibitions

All employees are prohibited from the unlawful manufacture, dispensing, distribution, consumption, possession, use, or being under the influence of a controlled substance or alcohol while on The Network Schools premises or while performing work for The Network Schools.

Conditions of Employment – Notice of Conviction

As a condition of employment, each employee shall: (1) abide by the terms of The Network Schools policy respecting a drug and alcohol-free workplace; and (2) notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the school premises or while performing work for The Network Schools, no later than five (5) days after such a conviction.

Definitions

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

Drug or illegal drug: means a controlled substance as defined in Schedules I through V of Section 202 of the Controlled Substances Act.

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

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

Controlled Substance: means any drug or substance that is: 1) not legally obtainable; 2) being used in a manner different than prescribed; 3) legally obtainable, but has not been legally obtained; or 4) referenced in federal or state controlled substance acts.

Confidentiality

Records that pertain to The Network Schools' employee-required substance screens are recognized to be private and sensitive records. The Network Schools shall maintain such records in a secure fashion to insure confidentiality and privacy and be disclosed to the Human Resources representative only to the extent necessary to address any work-related safety risks occasioned by either the drug or alcohol use. The Human Resources representative shall maintain any such records in a secure fashion to insure confidentiality and privacy. Medical records, and information relating directly thereto, shall be maintained in accordance with provisions of Idaho law and used with the highest regard for employee privacy consistent with law and the purpose of achieving and maintaining a drug and alcohol-free workplace. The Network Schools shall maintain all Personnel records and information regarding referral, evaluation, substance screen results, and treatment in a confidential manner and no entries concerning such shall be placed in an employee's personnel file.

Employee Conduct

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

1. Illegal drugs – Prohibited, Notice of Conviction, Disciplinary Action:

- a. Prohibition. Employees shall not engage in the illegal use of drugs at any time, and such use will not be tolerated. Further, employees on duty, or on The Network Schools property, or in attendance at system-approved or school-related functions will not manufacture, distribute, dispense, possess, or use illegal drugs or drug paraphernalia, nor will they be under the influence of such drugs.
- b. Notice of Conviction. An employee convicted of any criminal drug law shall notify The Network Schools Human Resources representative or Supervisor no later than five (5) days after such conviction. Within thirty (30) days after receiving notice of a conviction, The Network Schools will take appropriate disciplinary action and/or refer the employee to an appropriate substance abuse rehabilitation program.
- c. Disciplinary Action / Factors. Failure of the employee to report the conviction within the time prescribed will lead to disciplinary action up to and including discharge. Convictions of a criminal drug law can result in disciplinary action up to and including discharge. In determining whether and to what extent an employee will be disciplined or discharged for the conviction of a criminal drug law, the Human Resources representative and the Executive Director will consider the following factors: (A) the degree to which the nature of the criminal offense reduces The Network Schools' ability to maintain a safe working environment; (B) the degree to which the nature of the criminal offense unreasonably endangers the safety of other employees and/or students; (C) the degree to which the conviction unreasonably undermines the public confidence in The Network Schools'

operations; (D) the nature of the criminal offense; (E) the nature of the employee's job with The Network Schools; (F) the existence of any explanatory or mitigating facts or circumstances; (G) whether the employee promptly reports the conviction; and (H) any other facts relevant to the employee, including but not limited to years of service and record of performance with The Network Schools.

2. Alcohol and Drugs – Prohibitions, Notice of Conviction, Disciplinary Action: Alcohol, prescription drugs, and over-the-counter drugs are legal and readily available. These drugs, when abused over time or used in combination with one another, can result in chemical dependency or poly-drug addiction. Employees shall conduct themselves in a manner consistent with the following provisions:
 - a. Alcohol – Intoxication Prohibition. Employees on duty, or on The Network Schools property, or in attendance at system-approved or school-related functions must not be under any degree of intoxication or odor from alcohol. Employees shall not manufacture, sell, or use alcoholic beverages or possess open alcoholic beverage containers while on duty, or on The Network Schools property, or in attendance at system-approved or school-related functions.
 - b. Prescription Drug Abuse Prohibition. Employees on duty shall not use or take prescription drugs above the level recommended by the prescribing physician and shall not use prescribed drugs for purposes other than those for which they are intended.
 - c. Notice of Conviction. An employee convicted of any criminal drug law involving the use of alcohol, prescription drugs, or over-the-counter drugs shall notify The Network Schools Administrator no later than five (5) days after such conviction. Within thirty (30) days after receiving notice of a conviction, The Network Schools will take appropriate disciplinary action and/or refer the employee to an appropriate substance abuse rehabilitation program.
 - d. Disciplinary Action. Failure of the employee to report the conviction within the time prescribed will lead to disciplinary action up to and including discharge. Convictions of a criminal drug law involving the use of alcohol, prescription drugs, or over-the-counter drugs can result in disciplinary action up to and including discharge. In determining whether and to what extent an employee will be disciplined or discharged for the conviction of a criminal drug law involving the use of alcohol, prescription drugs, or over-the-counter drugs, the Human Resources representative and the Executive Director will consider the following factors: (A) the degree to which the nature of the criminal offense reduces The Network Schools' ability to maintain a safe working environment; (B) the degree to which the nature of the criminal offense unreasonably endangers the safety of other employees and/or students; (C) the degree to which the conviction unreasonably undermines the public confidence in The Network Schools' operations; (D) the nature of the criminal offense; (E) the nature of the employee's job with The Network Schools; (F) the existence of any explanatory or mitigating facts or circumstances; (G) whether the employee promptly reports the conviction; and (H) any other facts relevant to the employee, including but not limited to years of service and record of performance with The Network Schools.

Physical Examination/Screening Based Upon Reasonable Suspicion

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

An employee who is reasonably suspected of being affected in any way by illegal drugs or alcohol and has been requested to submit to drug/alcohol testing, shall not operate a motor vehicle to complete the said drug/alcohol testing. The employee shall take alternative means of transportation or be driven to an authorized drug/alcohol testing facility.

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

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

The Human Resources representative, Executive Director and School Administrator (or his/her authorized designee), are the only individuals authorized to make the determination that reasonable suspicion or cause exists to order a drug or alcohol screen and are the only individuals who may order an employee to submit to a drug or alcohol screen.

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

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

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

1. Observed use, possession, or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol and/or the illegal use or sale of prescription drugs.
2. Apparent physical state of impairment of motor functions.
3. Marked changes in personal behavior not attributable to other factors.
4. Employee involvement in or contribution to an accident where the use of alcohol or

drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury.

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

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

Prior to substance screening, employees must sign an acknowledgment that the summary result will be transmitted to the Human Resources representative. Drug and/or alcohol screening shall be conducted by approved, independent, certified laboratories utilizing recognized techniques and procedures, more specifically described in the Drug and Alcohol Abuse Testing Procedures contained in this policy. Any breath analysis test conducted under these Policies will be performed by a certified Breath Alcohol Technician.

Return to Duty Testing

An employee who has been given the opportunity to undergo rehabilitation for drugs will, as a condition of returning to duty, be required to agree to a reasonable follow-up testing established by the Human Resources representative. The extent and duration of the follow-up testing will depend upon the safety or security nature of the employee's position and the nature and extent of the employee's substance abuse problem. The Human Resources representative is to review the conditions of continued employment with the employee prior to the employee's returning to work. Any such condition for continued employment shall be given to the employee in writing. The Human Resources representative may consult with the employee's rehabilitation program in determining an appropriate follow-up testing program, including the frequency of any substance screening contained in a follow-up testing program. In no instance shall such screening be ordered by the Human Resources representative more than one (1) time within a seventy-two (72) hour period.

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

Opportunity to Contest or Explain Test Results

Employees or job applicants who have a positive confirmed test result may explain or contest the result to the School Administrator or the Executive Director within five (5) working days after the School Administrator or the Executive Director contacts the employee or job applicant and shows him/her the positive test result as it was received from the laboratory in writing.

Refusal to Test

The following constitutes refusal to test:

1. Refusing to sign any of the following forms, to provide the following information, or to grant the following permission(s):
 - a. Statement that The Network Schools provided the employee a copy the of alcohol and controlled substance testing procedures policy;
 - b. Statement that The Network Schools explained to the employee the alcohol

- and controlled substance testing procedures and policy;
 - c. Agreement to be tested according to the alcohol and controlled substance testing procedures and policy;
 - d. Refusal to provide pre-employment history of alcohol misuse and controlled substance abuse; or
 - e. Failure to give permission to contact previous employers or approve the release of any alcohol and/or controlled substance test results involving said employee.
2. The following constitutes alcohol testing refusals:
- a. Refusal by any employee to complete and sign the breath alcohol testing form;
 - b. Failure to provide adequate breath without a valid medical explanation in writing; or
 - c. Failure of employee to remain readily available for testing for eight (8) hours following an accident that requires testing.
3. The following constitutes controlled substance testing refusals:
- a. Failure to provide a urine sample within four (4) hours, without a valid medical explanation in writing;
 - b. Conduct that clearly obstructs testing procedures.

Inspections – Alcohol or Drugs Reasonably Suspected

Employees may be assigned The Network Schools-owned (or leased) offices, vehicles, lockers, desks, cabinets, etc. for the mutual convenience of The Network Schools and personnel. Employees have no expectation of privacy in any of these locations nor any personal belongings which they may place in such areas.

Whenever there is a reasonable suspicion that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or drugs, the Human Resources representative, Executive Director or Administrative Staff may search the employee, the employee's locker, desk or other The Network Schools property under the control of the employee.

Whenever there is a reasonable suspicion that an employee has sold, purchased, used or possessed alcohol, drugs or drug paraphernalia on The Network Schools premises, the Human Resources representative, Executive Director or Administrative Staff may inspect the employee, the employee's locker, desk or other The Network Schools property under the control of the employee.

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

The Network Schools Action Upon Violation of Policy

Employees in violation of the provisions of this policy shall be subject to disciplinary action up to and including termination. The fact that an employee has been referred for assistance and his/her willingness or ability to rehabilitate are appropriate considerations as to what, if any, disciplinary action may be taken.

Should The Network Schools employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the Executive Director shall notify the appropriate state or federal agency from which The Network Schools receives contract or grant moneys of the employee's conviction, within ten (10) days after receiving notice of the conviction.

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

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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 Network Schools' desire to protect its interest with regards 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 Network Schools, its employees, students, agents or others. The employee shall adhere to all applicable privacy and confidentiality policies adopted by The Network Schools or as provided by state or federal law.

Do Not Use School Name, Logos, or Images

Employees shall not use The Network Schools logos, images, iconography, etc. on personal social media sites. Nor shall employees use The Network Schools name to promote a product, cause or political party or political candidate. Nor shall employees use personal images of students, or names or data relating to students, absent written authority of the parent of a minor or authority of an adult or emancipated student.

Respect School Time and Property

No Use of Social Media during Work Hours or on The Network Schools Equipment as school computers and time on the job are reserved for school-related business. Employees shall not use The Network Schools time or property on personal social media sites.

On Personal Sites

If you identify yourself as a Network Schools employee online, it should be clear that the views expressed, posted or published are not necessarily those of The Network Schools, its Board of Directors, employees, or agents.

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. In this way, the effect of the expression and publication of such 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 The Network Schools email address for personal social media activities. Use of The Network Schools email for this purpose is prohibited and will be considered a violation of 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 and/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 requiring professional relationships with students both inside and outside the classroom;
2. Contacting students through electronic means other than The Network Schools’ 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 Network Schools; and
5. Inappropriate contact of any kind including via electronic media.

Nothing in this policy prohibits The Network Schools staff and students from the use of education websites and/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 Network Schools’ Administration.

Rules Concerning 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 Network Schools-based club or a Network Schools-based activity or an official The Network Schools-based organization, the employee must also comply with the following rules:

1. The employee must set up the club, etc. as a group list which will be “closed and moderated”;
2. The employee must set up mechanisms for delivering information to students that 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 (e.g. teacher, administrator, or supervisor). 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. Parents shall report any communications they believe to be inappropriate by students to The Network Schools 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 employee’s supervisor shall be permitted access to any site established by the employee for a Network Schools-related purpose;
9. Employees are required to maintain appropriate professional boundaries in the establishment and maintenance of all such The Network Schools-sponsored social media activity. This includes maintaining a separation between The Network Schools activity pages and employees’ personal social media profiles and pages;
10. Postings made to the site must comply with The Network Schools’ Employee Electronic and On-Line Services Usage Policy; and
11. The Administrative Staff reserves the right to shut down or discontinue the group if he/she believes it is in the best overall interest of the students.

Cross Reference: Student Policy 3270P Acceptable Use of Electronic Networks

Legal Reference: Code of Ethics for Idaho Professional Educators

Policy History:

Adopted: 4/24/2017 Reviewed: 2/25/2019 Revised: 2/25/2019

The Network Schools

PERSONNEL

5325P Recommended Practices for Use of Social Media Sites, Including Personal Sites

Think Before Posting

Privacy does not exist in the world of social media, therefore, The Network Schools recommends that employees consider what could happen if a post becomes widely known or how that may reflect on the poster, The Network Schools, or its patrons. Search engines can turn up posts years after they are created, and comments can be easily forwarded or copied. If you would not say it at a Board Meeting or to a member of the media or a colleague, consider the propriety of posting it online.

Remember Your Audience

Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes students, fellow employees, and peers. Consider this before publishing to ensure the post will not **unnecessarily** alienate, harm, or provoke any of these groups.

Contact with Students

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. In order to avoid the appearance of partiality or impropriety, all electronic communications with students should be through the official The Network Schools email or your work phone. Do not list current students as friends on social media sites, do not give students your personal e-mail address or phone number, and do not text students.

Keep Personal and Professional Use Separate

Staff members who decide to engage in personal social media activities will maintain separate professional and personal email addresses. Staff members will not use their The Network Schools email address for personal social media activities. Such uses will be considered a violation of The Network Schools policy and may result in disciplinary action. The Network Schools reserves the right to monitor communications transmitted and received through The Network Schools network. This may include social media messages and updates sent to a The Network Schools email account.

Notify The Network Schools

Employees that have or would like to start a Network Schools social media page must contact the Administrative Staff and request approval prior to establishing the page. In turn, Administrative Staff must obtain Executive Director approval prior to establishing any social media page. All The Network Schools pages must have an appointed employee who is identified as being responsible for content. The Network Schools should

outline the duties of the employee responsible for the site, including how often the site must be checked for comments and who is allowed to post to the site. Administrative Staff should be aware of the content on the site, arrange for periodic monitoring of the site, and for the receipt and addressing of any complaints about the content on the site. The Executive Director and Administrative Staff reserves the right to shut down or discontinue the site if he or she believes it is in the best overall interest of the students.

Have a Plan

The Network Schools should consider their messages, audiences, goals, and strategy for keeping information on social media sites up to date, accurate, and in the best interest of the students.

Protect The Network Schools Voice

Posts on The Network Schools affiliated social media sites should protect the school's voice by remaining professional in tone and in good taste. Carefully consider the naming of pages or accounts, the selecting of pictures or icons, compliance with The Network Schools policy, state, and federal laws with regard to student and employee confidentiality, and the determination of content.

Procedure History:

Promulgated: 4/24/2017

Reviewed: 2/25/2019

Revised: 2/25/2019

The Network Schools

PERSONNEL

5330 Employee Electronic Mail and On-Line Services Usage

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

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

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

While The Network Schools does not intend to regularly review employees’ e-mail/ Internet records, employees have no right or expectation of privacy in e-mail or the Internet. The Network Schools owns the computer and software making up the e-mail and Internet system and permits employees to use them in the performance of their duties for The Network Schools. E-mail messages and Internet records are to be treated like shared paper files, with the expectation that anything in them is available for review by the Executive Director and Administrative Staff. Administrative Staff shall submit a written request to the Executive Director requesting approval to review an employee’s emails and/or internet records. Administrative Staff may only review these items once written approval is received from the Executive Director.

Cross Reference: Personnel Policy 5290 Political Activity-Staff Participation

Legal References: Idaho Constitution Article VIII, Section 2
Idaho Attorney General Opinion No. 95-07
Board of County Commissioners v. Idaho Health Facilities
Authority, 96 Idaho 498 (1975)

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5335 Employee Use of Electronic Communications Devices

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

School-Issued Communications Devices

Communication devices issued by The Network Schools may include, for example, cellular telephones, computers and peripherals, walkie-talkies, and pagers/beepers.

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

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

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

Any Network Schools-issued equipment is to be surrendered back to The Network Schools immediately upon request.

Personally-Owned Communications Devices

Employees may carry and use personally-owned cellular telephones, computers, and pagers/beepers, during the school day on school property.

Personally-owned portable police scanners, long or short-range walkie-talkies and any other such devices, should not be used or carried by employees on school property during the school day unless by specific permission of their immediate supervisor based on a personal health or safety need.

Cellular telephones and pagers/beepers/texting should not be used during the employee's normal duty times to send/receive messages of a personal nature, but such use is allowable during normal break times, lunch times, and preparation times. Use of cellular telephones or audible pagers/beepers/texting should be curtailed during instructional time or at school-sponsored programs, meetings, in-services, parent/ guardian conferences, or any other time when there would be a reasonable expectation of quiet attentiveness.

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

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5340 Evaluation of Certificated Personnel

The Network Schools has a firm commitment to performance evaluation of school personnel, whatever their category and level, through the medium of a formalized system. The primary purpose of such evaluation is to assist personnel in professional development and in achieving The Network Schools goals, and to assist with decisions regarding personnel actions.

This policy applies to certificated personnel, but The Network Schools shall differentiate between non-instructional and pupil instructional personnel. The Administrative Staff 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 (1) 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 (2) documented observations, one (1) 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 him or her know that the supervisor is interested in his or her job progress and personal development;
2. Serve as a systematic guide for supervisors in planning each employee's further training;
3. Assure considered opinion of an employee's performance and focus maximum attention on achievement of assigned duties;
4. Assist in determining and recording special talents, skills, and capabilities that might otherwise not be noticed or recognized;
5. Assist in planning personnel moves and placements that will best utilize each employee's capabilities;
6. Provide an opportunity for each employee to discuss job problems and interests with his or her supervisor; and
7. Assemble substantiating data for use as a guide, although not necessarily the sole governing factor, for such purposes as wage adjustments, promotions, disciplinary action, and termination.

Responsibility

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

1. Distributing proper evaluation forms in a timely manner;
2. Ensuring completed evaluations are returned for filing by a specified date;
3. Reviewing evaluations for completeness;
4. Identifying discrepancies;
5. Ensuring proper safeguards and filing of completed evaluations;
6. Creating and implementing a plan for ongoing training for evaluators and certificated personnel on The Network Schools' 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 Network Schools' Performance Evaluation Program that includes stakeholder input from teachers, Board members, administrators, parents and 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 three (3) rankings used to differentiate performance of certificate holders including: unsatisfactory being equal to a rating of 1; basic being equal to a rating of 2; and proficient being equal to a rating of 3. A fourth rating of distinguished being equal to 4 may also be used.

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

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

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

The written evaluation will identify the sources of data used in conducting the evaluation. Aggregate data shall be considered as part of The Network Schools 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 (1) of the following as a measure to inform the Professional Practice portion: input received from parents or guardians, input received from students, and/or portfolios. The Board shall determine the manner and weight of parental input, student input, and/or portfolios on the evaluation.

Student Achievement: Instructional staff evaluations must include 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 past year's data and may use one or both years of data.

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. Individual domain and component ratings must be determined based on a combination of professional practice and student achievement as specified above.

Individuals who hold a Professional or Advanced Professional Endorsement will be annually evaluated in at least two domains, including **Domain 2 or Domain 3**. Whether the District evaluates on only two domains or all domains is left to the discretion of the individual Director or Head of School and may be decided on a case-by-case basis for each employee. All other instructional or pupil service staff employees must be evaluated across all domains.

1. Planning and Preparation

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

2. Classroom Learning Environment

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

3. Instruction and Use of Assessment

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

- D. Using Assessment in Instruction; and
- E. Demonstrating Flexibility and Responsiveness.

4. Professional Responsibilities

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

Meeting with the Employee

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

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

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

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

Rebuttals/Appeal

Within seven (7) days from the date of the evaluation meeting with their supervisor the employee may file a written rebuttal/appeal of any portion of the evaluation. The written rebuttal/appeal shall state the specific content of the evaluation with which the employee disagrees, a statement of the reason(s) for disagreement, and the amendment to the evaluation requested.

If a written rebuttal/appeal is received by the supervisor within seven (7) days, the supervisor may conduct additional meetings or investigative activities necessary to address the rebuttal/appeal. Subsequent to these activities, and within a period of ten (10) working days, the

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

If the supervisor chooses to amend the evaluation as requested by the employee then the amended copy of the evaluation will be provided to, and signed by, the employee. The original amended evaluation will then be forwarded to the Administrative Staff, 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 Administrative Staff, 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 Network Schools 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 Network Schools 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 Network Schools' evaluation plan shall be resubmitted to the State Department of Education for approval. The Network Schools shall report the summative rankings, the number of components rated as unsatisfactory, whether a majority of the certificated personnel's students met their measurable student achievement or growth targets or student success indicators as well as what measures were used, and whether an individualized professional learning plan is in place for all certificated personnel evaluations, annually to the State Department of Education.

Legal References: I.C. § 33-1001

IDAPA 08.02.02.120

Foundation Program — State Aid —
Apportionment – Definitions
Local District Evaluation Policy --
Instructional Staff and Pupil Service
Staff Certificate Holders

Policy History:

Adopted: 8/15/2012

Reviewed: 10/2015

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Reviewed: January 2017	Revised: 3/20/2017
Reviewed: 2/26/2018	Revised: 2/26/2018
Reviewed: 2/25/2019	Revised: 2/25/2019
Reviewed: 9/20/2021	Revised: 9/20/2021

The Network Schools

PERSONNEL

5350 Certificated Personnel Resignation

Certified Personnel Resignation (Release from Contract)

Applicants for teaching positions with The Network Schools who are issued a contract and employees who are on contract should recognize that their contract with The Network Schools 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; or (2) until such time as the Board releases the certified individual from the terms of the contract upon the recommendation of the Administrative Staff.

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.

An 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 Network Schools Administrative office 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 offices will advise the person submitting the request that the administration will recommend to the Board that the request be denied. The Network Schools office will also give the person making the request the opportunity to hold the request until finding a suitable replacement is imminent at which time the resignation would then be submitted to the Board. (If no time is specified for the request to be submitted to the Board, it will be submitted when the administration feels that finding a suitable replacement is imminent. The person making the request will be advised of that action.)

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

Should any certificated employee desire release from his/her contract after the first day of July, the board of trustees may at its discretion request a hearing before the professional standards commission, alleging that the certificated employee is guilty of unethical and unprofessional practice.

Classified Personnel

Classified Employees not under contract are expected to give due written notice that will permit The Network Schools to conduct a search for a suitable replacement. Generally speaking,

The Network Schools Administrative office expects a two-week notice.
All resignations must be in writing. Requests for resignation shall be transmitted to the Board as part of the regular personnel report.

Legal Reference: I.C. § 72-1366 Employment Security Law – Personal Eligibility Conditions

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

The Network Schools

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5360 Dress and Appearance

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

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

Acceptable Dress Outline

Males:

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

Females:

- Business suit
- Jumpers, dresses, skirts (appropriate fit and length) (Denim/Chambray fabric acceptable)
- Slacks or khaki/Dockers-type slacks
- Dress shoes, casual shoes, boots, athletic shoes
- Blouses, knit shirts, cotton shirts, sweaters (moderate neckline)
- Holiday, theme, or school sweatshirts
- Dress shorts/skorts of appropriate professional fit and length
- Knit dress pants with tunic length top
- Dress "crop slacks" that are loose fitting

- Blue jeans on activity days (spirit day, special classroom activities, field day)
- Wind suits/sweat suits on spirit or activity days
- Shorts of appropriate length

Inappropriate/Unacceptable Attire:

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

Exceptions to Acceptable and Inappropriate Dress Outlines

- Gym Teachers: Gym clothing appropriate to activity, shorts restricted to gym or outside PE areas.
- Field Trips/Field Days/Outdoor Activities: Modest, appropriate to activity.
- Special Days: Holiday clothing/school spirit/thematic clothing with Administrative Staff's permission.
- The Administrative Staff 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

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

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5370 Non-School Employment by Professional Staff Members

The outside work or self-employment by a staff member is of concern to the Board insofar as it may:

- Prevent the employee from performing assigned responsibilities in an effective manner.
- Be prejudicial to proper effectiveness in the position or compromise The Network Schools.
- Raise a question of conflict of interest – for example, where the employee’s position in The Network Schools permits access to information or other advantage useful to the outside employer.

Therefore, a regular, full-time employee’s position in The Network Schools shall take precedence over any type of outside work or self-employment. Employees are free to carry on individual work or self-employment projects as long as no Network Schools facilities, equipment, or school(s) are used, except as provided by policy, and the outside work or self-employment does not interfere with the employees’ performance of The Network Schools assigned duties.

In addition, an employee may not perform any duties related to outside work or self-employment during regular The Network Schools working hours or during the additional time that is needed to fulfill the responsibilities of The Network Schools position. Employees who violate this policy are subject to reprimand, suspension, or termination.

Except by prior written authorization from the Administrative Staff:

- School buildings are not to be used for private tutoring or classes for which students pay a fee to a staff member unless a rental contract has been entered into with The Network Schools.
- A staff member is not permitted to provide tutoring for pay to any student who attends or is registered in any of the staff member’s own classes with the exception of music students.

Legal Reference: IDAPA 08.02.02.076.07.c Code of Ethics for Idaho Professional Educations – Compensation for Tutoring

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

Reviewed: 4/27/2020

Revised: 4/27/2020

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5390 Employment Referrals and Prevention of Sexual Abuse

All employees, contractors, and agents of The Network Schools are prohibited from providing any recommendation for employment or otherwise helping an employee, contractor, or agent of The Network Schools 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 The Network Schools 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.

Policy History:

Adopted: 8/19/2019

Reviewed:

Revised:

The Network Schools

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5395 Whistleblowing

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

When The Network Schools employees know or have reasonable cause to believe that serious wrongful conduct has occurred, they should report such wrongful conduct to the Executive Director or his or her designee.

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

1. Theft or misuse of The Network Schools funds, property, or resources;
2. Fraud;
3. Violation of federal and state laws or administrative rules; and/or
4. Material violation of The Network Schools 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 Executive Director or designee or his or her designee. Upon receiving a report of wrongful conduct, the Executive Director 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 Executive Director or designee shall conduct the investigation. If the person alleged to have committed the wrongful conduct is the Executive Director or designee, the investigation shall be addressed in accordance with Policy 4120.

The Executive Director 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 Executive Director 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 Network Schools shall not take adverse employment action against an employee who has notified The Network Schools of wrongdoing, allowing The Network Schools the opportunity to investigate and correct the misconduct. The Network Schools 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, The Network Schools 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 Network Schools shall investigate any complaints of such retaliation and take immediate steps to stop any retaliation.

The Network Schools 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 Executive Director 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: Personnel Policy 5250 Certificated Staff Grievances
Personnel Policy 5800 Classified Employment, Assignment, and
Grievance
Personnel Policy 5800P Classified Employee Grievance Procedure

Legal Reference: Idaho Code § 6-2101 et seq. Idaho Protection of Public
Employees

Policy History:

Adopted: 11/18/2019 Reviewed: Revised:

The Network Schools

PERSONNEL

5400 Absences and Leaves - Certified

The Board of Directors 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 Executive Director, 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 Executive Director's action to place a certificated employee on a period of involuntary leave of absence, the Board shall ratify or nullify action of the Executive Director 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 Executive Director's acceptance of a certificated employee's request for leave of absence shall be put before the Board for ratification at the next regularly scheduled meeting of the Board or within twenty-one (21) days, whichever comes first.

Sick Leave

Certificated employees who work half time or more per week shall be granted sick leave and other leaves in accordance with State law. Each such employee shall be granted sick leave with full pay of one (1) day as projected for the employment year for each month of service in which he or she works a majority portion of that month.

Sick leave for certificated employees shall be calculated by the day, or percentage thereof, as defined in his or her individual employment contract. The Network Schools, may in its discretion, require proof of illness when deemed appropriate, including but not limited to cases of suspected abuse of sick leave or false claims of illness.

Sick leave is to be used for absences caused by illness or injury of the employee, or illness or injury of immediate family members of the employee including, the employee's spouse, dependent or minor children or parents.

In all cases, if absence from work exceeds a period of five (5) consecutive working days, the employee must furnish to Human Resources a doctor's certification that medical complications are such that the employee is unable to carry on his/her duties satisfactorily. When an employee returns to work from an absence of five (5) consecutive days, a medical release from the employee's health care provider must be submitted to Human Resources. The release should include any accommodations that are necessary for the employee to resume work. Abuse of sick leave is cause for discipline up to and including termination.

Accrual of Unused Sick leave

Employees may accrue unused sick leave. Compensation shall not be provided for unused sick leave. Upon retirement, an employee's accumulated unused sick leave must be reported by The Network Schools to the public employee retirement system.

Bereavement Leave

An employee who has a death in the immediate family shall be eligible for bereavement leave. The School Administrators shall have the authority to give bereavement leave for up to five (5) days for each occurrence in the immediate family (grandfather, grandmother, father, mother, brother, sister, husband, wife, child, grandchild, foster or step child, father-in-law, mother-in-law, step-parent, step-sibling, aunt, uncle, cousin). Bereavement leave of greater than five (5) days must be approved by the Board. Such leave shall not exceed ten (10) days, unless prescribed by a physician.

Additional time may be granted under unusual circumstances. Requests for additional time must be directed through the School Administrators to the Executive Director.

Personal and Emergency Leave (Unpaid Leave)

Unpaid leave may only be used after personal days have been used. If the leave qualifies for sick leave, all sick leave must be used prior to requesting and/or being granted unpaid leave.

Upon recommendation of the Administration, and in accordance with law and The Network Schools policy, certified staff may be granted personal leave pursuant to the following conditions:

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

Paid Personal Days

Full-time certificated employees will be given two (2) paid personal leave days off to be used during the current contract year. Paid personal days may be used at the employee's discretion, subject to the following. Paid personal leave requests for days immediately

preceding or following vacation periods (holidays, scheduled breaks), or during the first or last week of a semester require written approval from the employee’s supervisor. No more than 10% of the certificated employees on any campus may be gone on personal leave at one time. When using paid personal days, the employee shall provide advanced notice to their supervisor and shall arrange for substitute coverage.

Paid personal days must be used by the end of the current school year or the days will be forfeited. Paid personal days will not be paid out upon resignation or termination of employment and days off not utilized prior to separation of employment will be forfeited.

Cross Reference: Personnel Policy 5410 Family and Medical Leave (FMLA)

Legal References: 42 USC 2000e Equal Employment Opportunities
I.C. § 33-513 Professional Personnel
I.C. § 33-1216 et seq. Sick and Other Leave
I.C. § 33-1217 Accrued Unused Sick Leave-Transfer
I.C. § 67-5333 Sick Leave
I.C. § 33-1228 Severance Allowance at Retirement
IDAPA 08.02.02.076 Code of Ethics for Idaho Professional

Educators

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-1/19/16	Revised: 1/19/2016
	Reviewed: 10/2016	Revised 10/17/2016
	Reviewed: June-July 2017	Revised 7/12/2017
	Reviewed: 5/21/2018	Revised 5/21/2018
	Reviewed: 8/20/2018	Revised 8/20/2018
	Reviewed: 2/25/2019	Revised 2/25/2019

The Network Schools

PERSONNEL

5405 Absences and Leaves - Classified

The Board of Directors 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.

Sick Leave

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

Sick leave is to be used for absences caused by illness or injury of the employee, or illness or injury of immediate family members of the employee including, the employee's spouse, dependent or minor children or parents.

In all cases, if absence from work exceeds a period of five (5) consecutive working days, the employee must furnish to Human Resources a doctor's certification that medical complications are such that the employee is unable to carry on his/her duties satisfactorily. When an employee returns to work from an absence of five (5) consecutive days, a medical release from the employee's health care provider must be submitted to Human Resources. The release should include any accommodations that are necessary for the employee to resume work. Abuse of sick leave is cause for discipline up to and including termination.

Accrual of Unused Sick leave

Employees may accrue unused sick leave. Compensation shall not be provided for unused sick leave. Upon retirement, an employee's accumulated unused sick leave must be reported by The Network Schools to the public employee retirement system.

Bereavement Leave

An employee who has a death in the immediate family shall be eligible for bereavement leave. The School Administrators shall have the authority to give bereavement leave for up to five (5) days for each occurrence in the immediate family (grandfather, grandmother, father, mother, brother, sister, husband, wife, child, grandchild, foster or step child, father-in-law, mother-in-law, step-parent, step-sibling, aunt, uncle, cousin). Bereavement leave of greater than five (5)

days must be approved by the Board. Such leave shall not exceed ten (10) days, unless prescribed by a physician.

Additional time may be granted under unusual circumstances. Requests for additional time must be directed through the employee's Supervisor to the Executive Director.

Personal and Emergency Leave (Unpaid Leave)

Unpaid leave may only be used after personal days and/or vacation days have been used. If the leave qualifies for sick leave, all sick leave must be used prior to requesting and/or being granted unpaid leave.

Upon recommendation of the Supervisor, and in accordance with law and The Network Schools policy, classified staff may be granted personal leave pursuant to the following conditions:

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

Paid Personal Days

All classified employees, working 20 hours or more, other than year-round classified who earn vacation, will be given two (2) paid personal leave days off to be used during the current school year. Paid personal days may be used at the employee's discretion, subject to the following. Paid personal leave requests for days immediately preceding or following vacation periods (holidays, scheduled breaks), or during the first or last week of a semester require written approval from the employee's supervisor. When using paid personal days, the employee shall provide advanced notice to their supervisor and shall arrange for substitute coverage if applicable.

Paid personal days must be used by the end of the current school year or the days will be forfeited. Paid personal days will not be paid out upon resignation or termination of employment and days off not utilized prior to separation of employment will be forfeited.

Cross Reference: Personnel Policy 5410 Family and Medical Leave (FMLA)

Legal References: 42 USC 2000e Equal Employment Opportunities
I.C. § 33-513 Professional Personnel
I.C. § 33-1216 et seq. Sick and Other Leave

I.C. § 33-1217	Accrued Unused Sick Leave
I.C. § 67-5333	Sick Leave
I.C. § 33-1228	Severance Allowance at Retirement

Policy History:

Adopted: 3/2018	Reviewed: 5/21/2018	Revised: 5/21/2018
	Reviewed: 5/21/2018	Revised 5/21/2018
	Reviewed: 8/20/2018	Revised 8/20/2018

The Network Schools

PERSONNEL

5410 Family and Medical Leave

Eligibility

If the employee has worked for The Network Schools for a minimum of 12 months and 1,250 hours in the past 12 months, and meets all eligibility requirements of the Family Medical Leave Act, the employee is eligible for family and medical leave pursuant to the Family and Medical Leave Act FMLA. Further, an employee may only be eligible if there are at least 50 Network employees within a 75 mile radius.

Benefit

Under certain conditions, eligible employees, if qualified, may be entitled to up to 12 weeks

leave with continuing participation in the Network School's group insurance plan.

Leave Year Calculation

The Network Schools uses the "rolling" 12-month period method to calculate the employee's leave year. That means that the first time the employee takes FMLA leave, the employee's leave year begins. Thereafter, each time the employee requests additional FMLA leave, The Network Schools will look backward 12 months and determine how much FMLA leave has been used during that time and how much FMLA leave remains.

Leave Availability

Family and Medical Leave is available for the following:

- a. The birth and first year care of the employee's child;
- b. The placement of a child with the employee for adoption or foster care;
- c. The care of the employee's spouse, son or daughter, or parent who has a serious health condition; or
- d. A serious health condition that makes the employee unable to perform his/her job.

Exhaust Paid Leave

Accumulated paid leave (such as sick leave, personal leave, etc.) shall be exhausted prior to the employee being placed on unpaid leave status and shall be counted as a part of the 12 weeks of leave.

Notice and Medical Certification

The employee is required to provide:

- a. 30 days advance written notice, when the leave is foreseeable; and
- b. Medical certification of a serious health condition and of fitness to return to work, when requested.

The Network Schools may require, at the school's expense, second or third opinions for a medical certification or a fitness for duty report.

General Implementation

1. The provisions of the Family and Medical Leave Act will control intermittent or reduced leaves.
2. If both spouses are employed by The Network Schools, they together may take only 12 weeks for Family and Medical Leave when the reason for the leave is Leave Availability a or b above, or to care for a sick parent.
3. During a Family and Medical Leave employees are entitled to continuation of health benefits that would have been provided if they were working.
4. An employee returning to work from a Family and Medical Leave will be given an equivalent position to his/her position before the leave, subject to The Network Schools' return-to-work policies and practices
5. Employees, supervisors and building administrators will forward requests, forms and other material to payroll to facilitate proper record keeping.
6. The period during the summer vacation or other scheduled breaks (i.e., Christmas) an employee would not have been required to work will not count against that employee's FMLA leave entitlement.

Military Leave

All The Network Schools employees, other than those who are employed on a temporary basis, are entitled to 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 extend 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.

Employees should provide either written or oral notice of upcoming military training to The Network Schools 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 their supervisor. Notice shall include date of departure and date of return for purposes of military training ninety (90) days prior to the date of departure or, if the departure and/or return date are unknown (90) days prior to departure, as soon after the employee is notified of such duty as is reasonably practical.

Employees who are required to attend annual training or special active duty for training shall not suffer any loss of salary, seniority or efficiency rating during the first fifteen (15) days of such absence in any calendar year. Leave will be without loss of benefits.

Employee Notification of Policy

A general notice from the Department of Labor explaining the FMLA's provisions and complaint procedures will be posted prominently where it can be readily seen by employees and applicants and shall either be distributed to each new employee upon hiring or will be included in employee handbooks or other written guidance concerning benefits or leave rights. No notification of rights under the FMLA or related regulations should be construed to alter any applicable at-will employment relationship between the Network Schools and an employee.

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

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020
	Reviewed: 3/15/2021	Revised: 3/15/2021

The Network Schools

PERSONNEL

5412 Jury Duty

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

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

Jury duty leave is paid for up to ten (10) work days. Employees must submit all compensation paid by the Court to be eligible for compensated jury duty leave.

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5413 Witness for Court Appearance Leave

The Network Schools employees who are subpoenaed into court as a witness will be allowed leave for required court appearances. Employees are expected to use only the portion of the work day of days required for their appearance as a witness. Employees are required to receive prior approval of the Administrative Staff and their immediate supervisor (maintenance, school lunch, bus supervisor). The employee will be granted leave to be a witness for court appearance with pay providing the person submits a copy of the subpoena to the Administrative Staff as soon as reasonably possible after having received a/the subpoena.

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5420 Long-Term Illness/Temporary Disability/Maternity Leave

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

Long-term illness or temporary disability shall be construed to include pregnancy, miscarriage, childbirth and recovery therefrom. Maternity leave includes only continuous absence immediately prior to delivery, absence for delivery, and absence for post-delivery recovery, or continuous absence immediately prior to and in the aftermath of miscarriage or other pregnancy-related complications. Such leave shall not exceed six (6) weeks unless prescribed by a physician.

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 has been exhausted. The duration of leaves, extensions, and other benefits for privileges such as health and long-term illness or temporary disability plans in the event of maternity leave, shall apply under the same conditions as other long-term illness or temporary disability leaves.

The Administrative Staff shall devise procedures within the intent of Title VII of the 1964 Civil Rights Act as amended in 1978 by the Pregnancy Discrimination Act, and within the scope of applicable law and court rulings in the state of Idaho.

Legal Reference: Pregnancy Discrimination Act

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5420P Long-Term Illness/Temporary Disability/Maternity Leave Procedure

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

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 until such a time.
2. Maternity leave will be treated as any other disability. Generally, unless mandated otherwise by a physician, maternity leave does not exceed six (6) weeks. As a disabling condition, maternity leave is not available to fathers.
3. 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.

Procedure History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5430 Insurance Benefits for Employees

Newly hired certificated employees will be eligible for insurance benefits offered by The Network Schools consistent with the terms of the current collective bargaining agreement, if applicable.

Classified employees who work twenty-five (25) hours or more per week shall be entitled to the same group health insurance benefits as applicable to certificated personnel.

Board of Directors will not be allowed to participate in The Network Schools' group health insurance program.

Legal References: I.C. § 33-517A School districts – Non-certificated employees –
Group health insurance
I.C. § 67-5763 Governmental body authorized to make
contracts
for group insurance for officers and employees

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5440 School Holidays

The Network Schools designates the following days as school holidays:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Thanksgiving Day
5. Christmas Day

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

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

Legal References: I.C. § 33-512 Governance of schools
I.C. § 73-108 Holidays enumerated

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5450 Vacation – Classified Personnel

Classified salaried employees who are employed on a regular basis for 239 days or more per year and who work 4 hours or more per day, shall receive 10 days full time equivalency paid vacation, which will be accrued on a monthly basis at .83 days per month. Any employee who works less than 7½ hours per day accrues vacation time on a pro-rated basis.

YEARS	MONTHLY ACCRUAL (days per month)	ANNUAL ACCRUAL	ANNUAL MAXIMUM
1-5	.83 dpm	10 days	15.0 days
6	.91 dpm	11 days	16.5 days
7	1.00 dpm	12 days	18.0 days
8	1.08 dpm	13 days	19.5 days
9	1.16 dpm	14 days	21.0 days
10	1.25 dpm	15 days	22.5 days

Allow 18 months to be accrued

New employees must have completed 90 days of satisfactory service before being eligible to draw vacation time. After 90 days, vacation time will be credited retroactive to the initial employment date, at the rate of .83 days per month. Part-time employees who work less than 4 hours per day and/or less than eleven months per year are not eligible for paid vacation.

Vacation time may not be taken two weeks prior to the first day of school or within the first two weeks of the first day of school. Vacation time is to be taken on consecutive days unless otherwise authorized by the employee's supervisor.

When an employee no longer works for The Network Schools, all accrued and unused vacation leave will be paid to the employee in his final paycheck. Vacation payout will not be paid using funds from Federal programs.

Legal References: 42 USC 2000e
IC 67-5302

Equal Employment Opportunities
Personnel System

Policy History:

Adopted: 5/21/2018

Reviewed: 2/25/2019

Revised: 2/25/2019

The Network Schools

PERSONNEL

5460 Workers' Compensation Benefits - General

All employees of The Network Schools are covered by Workers' Compensation benefits pursuant to, and in accordance with, the terms of The Network Schools' Worker's Compensation insurance policy.

Accident Response and Reporting

In the event of an injury or accident:

1. The injured employee shall immediately obtain first aid or emergency medical care as necessary to stabilize their medical condition. This treatment shall, to the extent possible, be in accordance with the requirements of The Network Schools' Worker's Compensation insurance policy.
2. The injured employee shall promptly report the accident and injury to his or her immediate supervisor.
3. The employee shall, if possible, immediately remediate the hazardous condition. If immediate remediation is not possible, the employee shall report the hazardous condition so it can be remediated as soon as possible.
4. The employee shall complete The Network Schools' Worker's Compensation report of injury forms with The Network Schools' Human Resources Representative within forty-eight (48) hours of the accident (unless prohibited by the employee's medical condition, in which case the forms shall be completed as soon as the employee's medical condition reasonably allows).
5. On behalf of the employee, The Network Schools' Human Resources Representative shall immediately report the injury and claim to The Network Schools' Worker's Compensation carrier to coordinate income, medical, and other benefits available to the employee under Idaho's Worker's Compensation Law.
6. The Network Schools shall allow the employee to take available sick leave benefits until the date that Worker's Compensation income benefits are made available to the employee under to The Network Schools' Worker's Compensation insurance policy.

The Human Resources Representative shall notify the immediate supervisor of the report, and shall consult with the immediate supervisor when completing the required reports.

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

Investigation into Accident

Upon receipt of a report of an accident, The Network Schools shall conduct an investigation to determine:

1. Whether continuing hazardous conditions exist that require remediation and

2. Whether the employee's work environment caused or contributed to the reported accident. The employee is required to cooperate with The Network Schools' Worker's Compensation insurance carrier to coordinate and effectuate appropriate medical treatment and to secure other available Worker's Compensation benefits, including but not limited to income benefits.

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

Legal Reference: I.C. § 72-101, et seq. Workers' Compensation Act

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 7/18/2016	Revised: 7/18/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5470 Leaves of Absence – Military Leave

General Policy

All Network Schools employees, other than those who are employed on a temporary basis, are entitled to 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 extend 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.

Notice to The Network Schools

All employees should provide either written or oral notice of upcoming military training to The Network Schools 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 ninety (90) days prior to the date of departure or, if the departure and/or return date are unknown (90) days prior to departure, as soon after the employee is notified of such duty as is reasonably practical.

Military Leave for Training or Short Term Duty

Employees who are required to attend annual training or special active duty for training shall not suffer any loss of salary, seniority or efficiency rating during the first fifteen (15) days of such absence in any calendar year. Leave will be without loss of benefits.

Completion of Military Training

Upon completion of military training, employees shall give evidence of the satisfactory completion of such training immediately thereafter. Employees 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 - Salary

The Network Schools will not pay an employee's salary while the employee is on active military duty.

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 military service for 90 days or fewer. If the employee has been absent for military service for 91 days or more, The Network Schools 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 180 days, the health plan will offer continuous coverage. An employee on military leave may elect to continue health care coverage through The Network Schools for up to 24 months after the military leave begins or for the period of military service, whichever is shorter. The Network Schools' 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 The Network Schools Once Military Leave is Complete

The standard military service length and reporting times are:

- *1 to 30 days of military service:* employee reports to The Network Schools 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:* 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 Network Schools' 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:* 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:

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

After an employee has been absent for 31 days or more of military service, The Network Schools may ask the employee or the employee's military unit for documentation showing that:

- The employee submitted a timely application for reemployment;
- The employee's length of military service has not exceeded the five-year limitation; and
- 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 Network Schools will make reasonable efforts to accommodate the disability.

Legal References:	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	

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5500 Personnel Files

The Network Schools 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 Executive Director, the Administrative Staff, the employee, the employee's designee or representative, and schools requesting information based upon Idaho Code for hiring.

The Network Schools shall keep a log of those persons, other than the Executive Director or Administrative Staff, 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 records.

In accordance with federal law, The Network Schools 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 The Network Schools which is receiving Title I funds, and who provides instruction to their child. Access to other information contained in the personnel records of The Network Schools employees is governed by Policy 4200 Records Available to the Public.

In accordance with state law, not later than twenty (20) days after receiving a request, The Network Schools shall release information regarding job performance or job related conduct, as defined by Idaho Code to schools requesting such information for hiring purposes. See Policy 5100 Hiring Process and Criteria, and Procedure 5100P1 Procedures for Releasing Personnel Records to Hiring Schools.

Certificated Employees

The Network Schools shall maintain official 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. Original acknowledgement of receipt of professional liability insurance providers list;
10. A copy of the employee's job description signed by the employee;

11. A signed acknowledgement that the employee has received a copy of The Network Schools' sexual harassment policy;
12. A signed acknowledgement that the employee has received a copy of The Network Schools' email and internet use policy;
13. Documentation of additional training received, course work completed, in-services attended, etc.;
14. Documentation of fingerprints and background checks;
15. Documentation of record and/or reference checks pursuant to Idaho Code 33-1210;
16. Rebuttal documents;
17. Copies of certifications from the Office of the Superintendent of Public Instruction;
18. Transcripts of credits earned (for credit review purposes);
19. Salary schedule placement; and
20. 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 Administrative Staff 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.

Other Files upon Separation

Idaho law recognizes that other files may be kept relative to employees, such as investigative files. Upon separation of employment, all documents from such files, including investigative files, shall be moved into the employee's personnel file. Names of students, fellow employees, or complainants (with the exception of the employee's administrative supervisor or other administrative authors) shall be redacted from such documents before they are placed in the personnel file. Copies of such documents shall be provided to the employee within ten (10) days of placement in the personnel file and written notice of their inclusion in the file by sending such to the employee's last known address. The employee shall be given the opportunity to file a rebuttal to such information in the same manner outlined above.

Record Keeping Requirements Under the Fair Labor Standards Act

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

1. Records required for ALL employees:
 - A. Name in full (same name as used for Social Security);
 - B. Employee's home address, including zip code;
 - C. Date of birth if under the age of 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 References: Community Relations Policy 4200 Records Available to the Public
 Personnel Policy 5100 Hiring Process and Criteria
 Personnel Policy 5205 Job Descriptions and Evaluations
 Personnel Policy 5240 Sexual Harassment/Intimidation in the Workplace
 Personnel Policy 5330 Electronic Mail and On-Line Services Use
 Personnel Policy 5340 Evaluation of Certificated Personnel
 Personnel Policy 5500 Personnel Files
 Personnel Policy 5820 Evaluation of Non-Certified Staff

Legal References: 29 USC 201, et seq. Fair Labor Standards Act
 29 C.F.R. § 516.2 and 3 Record Keeping Requirements
 I.C. § 9-340C Records Exempt from Disclosure – Personnel Files, etc.
 I.C. § 33-517 Non-certificated Personnel
 I.C. § 33-518 Employee Personnel Files
 I.C. § 33-1210 Information on Past Job Performance

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-	Revised: 1/19/2016
	1/19/16	
	Reviewed: 5/16/2016	Revised: 5/16/2016

Reviewed: 2/25/2019

Revised: 2/25/2019

The Network Schools

PERSONNEL

5600 Staff Health

Medical Examinations

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

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

Physical Examinations – When Required

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

All bus drivers, including full-time, regular part-time or temporary part-time drivers, shall be required to have a satisfactory medical examination prior to employment.

Daily Health Screenings (during a State or Local Ordered Health Emergency)

Employees will self-report symptoms of oncoming illness prior to arriving at work and will immediately notify supervisor if symptoms develop during the work day.

All personnel may be subject to non-invasive daily health screenings. Any employee who appears to have symptoms upon arrival at work or who becomes sick during the day shall be directed to immediately isolate him or herself from other employees, students, or visitors and return to their home. Such screenings shall be conducted in a manner that ensures confidentiality.

Contagious or Infectious Diseases – Reporting and Leave if Infectious

If a staff person has a contagious or infectious disease and has knowledge that a person with compromised or suppressed immunity attends the school, the staff person must notify the school nurse or other responsible person designated by The Network Schools that he has a

contagious or infectious disease which could be life threatening to an immune compromised person. The school nurse or other designated person must determine, after consultation with and on the advice of public health, if the immune compromised person needs appropriate accommodation to protect their health and safety.

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

Confidentiality

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

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

Legal References:

- 29 U.S.C. § 794 Section 504 of the Rehabilitation Act of 1973
Nondiscrimination under Federal grants and programs
- 42 U.S.C. §§ 12101, et seq., & 12131, et seq. The Americans with Disabilities Act of 1990
- 29 C.F.R. §1630.14(c) Medical examinations and inquiries specifically permitted - Examination of Employees

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 8/17/2020	Revised: 8/17/2020

The Network Schools

PERSONNEL

5610 Prevention of Disease Transmission

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

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15-	Revised: 1/19/2016
	1/19/16	
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5620 Safety Management Program and Network Schools Personnel

It is the policy of The Network Schools to promote a safe work environment for all employees and to take reasonable preventative measures to avoid accidents or injuries to employees. To that end, this policy directs the Board to create and adopt a detailed Safety Management Program compliant with the material requirements of the Occupational Safety and Health Act of 1970 (OSHA). The Network Schools personnel are required, as a condition of their employment, to read, understand, and abide by all provisions of The Network Schools's Safety Management Program.

While The Network Schools will take steps reasonably necessary to implement the Safety Management Program, the Board recognizes that the employees are the "first line of defense" against safety violations, and requires them to use their best judgement to prevent the kinds of avoidable or reasonably foreseeable accidents contemplated by the Safety Management Policy.

Finally, the Board (by way of this policy and Policy 9400) shall interpret any violation of the Safety Management Policy by any employee as necessarily and categorically outside the course and scope of the violating employee's employment with The Network Schools.

All Network Schools Employees

Inclusive of the provisions of the Safety Management Program, all Network Schools employees are required to use reasonable caution and analyze all work assignments and the work environment for potential hazards. Employees shall:

1. Follow specific safety instructions described in The Network Schools Safety Management Program;
2. Utilize their best judgement when evaluating potential safety concerns posed by any instructions that may be given to them by their supervisor;
3. Act safely in daily activities and at no time do anything they reasonably expect could result in an accident or injury to themselves or others;
4. Be responsible for their own safe conduct and do everything reasonably possible to safeguard others, unless doing so would unreasonably place the employee in peril;
5. Be alert to any potentially or actually unsafe conditions and report them immediately to their supervisor or the building principal;
6. Use all articles of safety equipment provided in a way that strictly complies with the manufacturers' instructions, suggested uses, and/or established industry best practices;
7. Take good care of any tools, equipment, or vehicles and report any needed repair or replacement necessary for safe use;
8. Not attempt to operate, repair, or otherwise use tools, equipment, machinery, vehicles without specific authorization, and not attempt any of the same without the requisite expertise and training necessary for competent use of that article or tool;

9. Not tamper with, attempt to tamper with, or alter any tool, equipment, vehicle, or other piece of machinery in a way contrary to or likely to be contrary to its intended use.

Maintenance and Food Service Employees

All maintenance, transportation, and food service employees shall comply with the following, additional safety standards as well as any others outlined in The Network Schools Safety Program:

1. Dress appropriately for the job, for instance, by wearing closed toe, non-slip shoes and refraining from wearing loose fitting clothing or jewelry;
2. Wear appropriate personal protection equipment as instructed;
3. When handling or moving heavy objects, take precautions to avoid injury, including but not limited to using proper lifting techniques;
4. Use chemicals and other products in strict compliance with manufacturer's instructions;
5. Comply with state and federal requirements regarding food safety.

Supervisors

Supervisors are required to provide a safe work environment for employees and to enforce standards as set forth in this policy. Supervisors shall:

1. Ensure that all employees understand and observe safe work practices and procedures;
2. Instruct current and new employees on safe work procedures and emphasize specific job hazards and how to avoid them;
3. Inspect work areas; observe employees performing daily tasks; and determine unsafe work habits, conditions, and general housekeeping in the work area;
4. Report immediately to the administration any unsafe conditions beyond their ability to correct or cure, or which they suspect could develop into an unsafe condition beyond their ability to correct or cure;
5. Investigate and submit a complete report of any accident or injury within 24-hours;
6. Determine the cause of each accident and take corrective action;
7. Evaluate employee performance for the ability to correct workplace safety issues.

Disciplinary Action

Supervisors shall take necessary disciplinary measures to ensure safety rules and safe work practices and procedures are not violated. In any situation constituting a potential or foreseeable threat to health and safety, or comprising an actual violation of The Network Schools's building safety policy, any employee responsible shall be made aware that The Network Schools will not tolerate nor be held liable for unsafe conduct by an employee. Situations necessitating supervisor intervention under this policy section may include, but are not limited to:

1. Accidents resulting from failure to abide by the provisions of The Network Schools Safety Program;
2. Failure to use available personal protective equipment;
3. Failure to use proper lifting techniques;
4. Failure to observe hazardous footing conditions; and
5. Misuse of equipment.

In situations where there is a willful, reckless, or negligent disregard for safety rules or the employee fails to accept and follow safe work practices, disciplinary action will be undertaken, up to and including termination of employment.

Cross Reference: 9400

Legal References: Occupational Safety and Health Act of 1970 (OSHA) I.C. § 33-506

Organization and Government of Board of Trustees I.C. § 33-512 Governance of Schools

Policy History:

Adopted on: March 15, 2021

Revised on:

Reviewed on: March 15, 2021

The Network Schools

PERSONNEL

5700 Substitute Teachers

Substitute Teacher is defined in I.C. § 33-512(15) as any individual who temporarily replaces a certificated classroom educator and is paid a substitute teacher wage for one (1) day or more during a school year.

The State Department of Education shall maintain a statewide list of substitute teachers. To remain on the statewide substitute teacher list the substitute teacher shall undergo a criminal history check every five (5) years.

The Administrative Staff shall arrange for the substitute to work for the absent teacher. Under no condition is a teacher to select or arrange for a private substitute.

The Network Schools annually establishes a daily rate of pay for substitute teachers. No fringe benefits are given to substitute teachers. Substitutes for classified positions will be paid by the hour.

Cross Reference: Personnel Policy 5110 Criminal History / Background Checks

Legal References: I.C. § 33-130 Criminal history checks for school district employee
or applicants for certificates
I.C. § 33-512(15) Governance of schools

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5710 Paraprofessionals, Teachers' Aides, and Para-Educators

Paraprofessionals, teachers' aides, and para-educators, as defined in the appropriate job descriptions, are under the supervision of a Director and a teacher to whom the Administrative Staff may have delegated responsibility for close direction. The nature of the work accomplished by para-educators 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 Network Schools mainly to assist the teacher. A para-educator is an extension of the teacher, who legally has the direct control and supervision of the classroom or playground and responsibility for control and the welfare of the students.

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

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

The Administrative Staff shall develop and implement procedures for an annual evaluation of teachers' aides/para-educators. Evaluation results shall be a factor in future employment decisions.

Cross Reference: Board Policy 1315 Continuous Improvement Plan

Legal References: 20 USC § 6312 Local Agency Plans
20 USC § 6314 School Wide Programs
20 USC §§ 7011, 7801 Definitions
IDAPA 08.02.02.007.14 Paraprofessional Defined

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 11/27/2017	Revised: 11/27/2017
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 4/27/2020	Revised: 4/27/2020

The Network Schools

PERSONNEL

5720 Volunteers / Contractors – General

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

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

Employee Supervision of Volunteers

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

Contractors

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

Cross References: Community Relations Policy 4420 Requirements for Sex Offenders
Community Relations Policy 4600 Volunteer Assistance
Personnel Policy 5110 Criminal History / Background Checks

Legal Reference: I.C. § 33-512

Governance of schools

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5725 Private Service Providers/Consultants

The Network Schools encourages the use of private service providers and professional consultants as resource individuals when such consultative services will be helpful in the improvement of the educational program of The Network Schools. The Network Schools, through the Administrative Staff as its designee, may enter into contracts with private service providers and/or consultants to provide necessary services to students.

Services provided by a private service provider/consultant (hereinafter referred to as "PSP"), and the frequency and duration of such services, shall be pursuant to the terms of the contract between the PSP and The Network Schools. Any contract The Network Schools enters into with the PSP shall provide the responsibility for eligibility determination, choice of educational methodology, and other determinations of educational services and programs which shall be retained at all times by The Network Schools.

Prior to being hired, the PSP shall undergo a background check the same as any new employee or volunteer of The Network Schools. The same requirements shall apply to the PSP.

The Administrative Staff or designee shall conduct periodic reviews of the services of the PSP. The Board may request that the Administrative Staff provide the Board with the review findings of the PSP.

Consultants shall exercise no authority over the work of The Network Schools employees, but shall act only as advisors in those fields in which they are qualified to offer assistance and for which they are employed.

Compensation

PSP compensation shall be approved by the Executive Director and/or Administrative Staff prior to invitation and arrangement for visitation by such person or persons to The Network Schools except when such compensation is within the amount specifically budgeted. If reimbursement is obtained through Medicaid, the PSP shall agree in the contract that those services will not exceed the approved Medicaid rate.

All consultants shall be hired based on a written contract which shall not exceed twelve (12) months.

Confidentiality

The PSP shall at all times maintain confidentiality pursuant to the Family Educational Records and Privacy Act (FERPA) of all records of services, including, but not limited to, identifying information regarding the student and services, observations, evaluations and/or assessments.

Definition:

Private service provider or consultant means a person, group, agency or organization that meets the following conditions:

- a. Is not an employee of The Network Schools or a public agency with legal jurisdiction over the circumstances related to the provider/consultant's involvement with the student; and
- b. Is paid for services provided to the student.

Examples of private service providers include: psychologist, counselor, targeted service provider, behavioral therapist, speech therapist, occupational therapist, physical therapist, social worker, psychosocial rehabilitation specialist, etc.

Examples of consultants include: attorney, auditor, architect, agents of record and others with technical skills or professional training.

Cross References: Community Relations Policy 4420 Requirements for Sex Offenders
Community Relations Policy 4600 Volunteer Assistance
Personnel Policy 5110 Criminal History / Background Checks Personnel
Personnel Policy 5720 Volunteers / Contractors - General

Legal References: I.C. § 33-512 Governance of Schools
Family Education Records and Privacy Act

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5730 Volunteer – Authorization to Release Information

TO WHOM IT MAY CONCERN:

I, _____, am seeking a volunteer assignment with The Network Schools. I acknowledge that a complete investigation into my background is necessary to protect the safety and welfare of the children in The Network Schools. I hereby expressly and voluntarily give The Network Schools the right to make a thorough investigation of my past employment, education, and activities. I understand that The Network Schools reserves the right to use any lawful method of investigation that, in its sole discretion, it deems reasonable and necessary.

This document is effective until revoked in writing by me.

SIGNATURE DATE

Print Full Name: _____

Print Full Address: _____

Birth Date: _____ Social Security Number: _____

STATE OF IDAHO)

: ss.

County of)

On this day of _____, 20____, before me, the undersigned Notary Public, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my Notarial seal the day and year in this certificate first above written.

Notary Public, State of Idaho

County of _____

Commission expires _____

Policy History:

Adopted: 8/15/2012

Reviewed: 11/5/15-1/19/16

Revised: 1/19/2016

The Network Schools

PERSONNEL

5740 Reduction in Force

The Board has the exclusive authority to determine the appropriate number of employees. A reduction in force may occur when there are:

- (a) Curriculum or program changes;
- (b) Negative changes in the financial conditions of the school district;
- (c) Decreases in student enrollment, including overall, by program, by grade or by school; or
- (d) Staffing or highly qualified teacher limitations of the district.

"Reduction in force" means the elimination of a certificated staff position or positions or a portion or percentage of a position or positions, when there is one (1) or more of the following:

- (a) The elimination of an entire program or portions of a program;
- (b) The elimination of positions in certain grade levels only;
- (c) The elimination of a position by category; or
- (d) The elimination of a position in an overall review of the district.

The decision to institute a reduction in force and the selection of an employee or employees subject to such reduction shall be at the sole discretion of the Board, except for the following limitation: The decision as to which employee or employees shall be subject to such reduction shall not be made solely on consideration of employee seniority or contract status.

Legal Reference: I.C. § 33-522A Financial Emergency

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

The Network Schools

PERSONNEL

5750 Employing Retired Teachers and Administrators

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

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

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

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

2. Retirees employed consistent with this policy and State law shall accrue one day per month of sick leave. No annual sick leave shall be accumulated unless additional sick leave has been negotiated between each individual retiree and The Network Schools at the time of employment. Sick leave accrued by a retired employee under Idaho Code § 33-1004H does not qualify for unused sick leave benefits under Idaho Code § 33-1228.
3. The Network Schools will provide health insurance for retirees hired consistent with this policy.
4. The Network Schools shall not employ certificated teachers and administrators who receive or received benefits under the previously existing early retirement program provided in now repealed Idaho Code 33-1004G.
5. Retirees who qualify to be rehired are those who:
 - A. Have reached the Rule of 90;

- B. Are not participating in the early retirement program;
 - C. Who are retired at or after 60 years of age;
 - D. Have never received a “promise of rehire” before their retirement date; and
 - E. Have received at least one payment from their PERSI retirement account;
 - F. Meet all conditions and requirements of PERSI to qualify for this program, as such may change from time to time.
6. Any year in which a retired teacher or administrator is hired, the Executive Director shall sign a form to be retained by the Network Schools in the employee’s personnel file attesting that:
- A. Any retired teachers or administrators have been employed using the standard retired teacher or retired administrator contract, as appropriate;
 - B. The length of any such contract is one year; and
 - C. Rehire was not agreed to between the teacher or administrator and the School prior to retirement.

Cross Reference: Personnel Policy 5100 Hiring Process and Criteria

Legal References:	I.C. § 59-1302	Definition – School Employee
	I.C. § 59-1356	Reemployment of Retired Members
	I.C. § 33-1004H	Employing Retired Teachers and Administrators
	I.C. § 33-1228	Severance Allowance at Retirement
	I.C. § 33-5206	Requirements and Prohibitions of a PSC
	I.C. § 33-5208	Public Charter School Financial Support
	I.C. § 59-1356	Reemployment of Retired Members

Policy History:

Adopted: 11/18/2019	Reviewed: 11/15/2021	Revised: 11/15/2021
	Reviewed: 8/15/2022	Revised: 8/15/2022

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5800 Classified Employment and Assignment

Classified employees are those non-certificated employees who are employed by The Network Schools or personnel hired in positions which do not require certification.

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

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

The Executive Director shall determine the salary and wages for classified personnel.

The grievance procedure for classified employees shall be the procedure set forth in I.C. § 33-517. A grievance shall be defined as a written allegation of:

- 1) A violation of current written board approved school district policy;
- 2) A violation of current written school procedures;
- 3) A violation of the current written board approved employee handbook;
- 4) A condition or conditions that jeopardize the health or safety of the employee or another; or
- 5) Tasks assigned outside of the employee’s essential job functions and for which the employee has no specialized training.

Cross reference Policy	3085	Sexual Harassment, Discrimination and Retaliation
	3085P	Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions
	5800P	Classified Employee Grievance Procedure

Legal References:	I.C. § 33-517	Non-certificated personnel
	I.C. § 33-1201	Certificate required
	Metcalf v. Intermountain Gas Co., 116 Idaho 622 (1989)	

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 7/2017	Revised: 7/12/2017
	Reviewed: 2/25/2019	Revised: 2/25/2019
	Reviewed: 10/26/2020	Revised: 10/26/2020

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5800P Classified Employment Grievance Procedure

Classified employees may file a written grievance alleging a violation of current, written Network Schools approved policy, procedure, or employee handbook; a condition or conditions that jeopardize the health or safety of the employee or another; or tasks assigned outside of the employee's essential job functions and for which the employee has no specialized training in strict accordance with the procedure set forth herein. For the purposes of this procedure, current, written Network Schools policy means the policy in place and approved by the Board as of the date of the incident giving rise to the grievance and not any previous or subsequent policy.

Neither the rate of pay nor the decision to terminate an employee during the initial 180 days of employment shall be regarded as a proper grievable matter.

A classified employee filing a grievance pursuant to this procedure shall be entitled to a representative of their choosing at each step of the grievance process outlined herein. Additionally, the person against whom the grievance is filed and the Executive Director or his or her designee shall be entitled to a representative at each step of the grievance process outlined herein. None of these individuals will be qualified to sit on the advisory grievance panel.

Neither the Board nor any member of the administration shall take reprisals affecting the employment status of any party in interest. The employee filing a grievance shall not take any reprisals regarding the course of the outcome of the grievance nor take any reprisals against any party or witness participating in the grievance.

Level 1: Informal

A classified employee with a complaint is encouraged to first discuss it with his or her immediate supervisor with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual misconduct against a student should be addressed in accordance with Policy 3085 and Procedure 3085P.

Level 2: Administration

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

1. The nature of the grievance; and
2. The remedy requested.

It must be signed and dated by the grievant. The Level 2 written grievance must be filed with The Network School's human resources administrator within six working days of the event or incident giving rise to the grievance.

Within six working days of receipt of the grievance, The Network Schools' human resources administrator shall schedule an informal grievance meeting with the grievant, the employee against whom the grievance is filed, any known advocates, as well as a School administrator who will not be involved in the statutory grievance process. The purpose of the meeting shall be to attempt to find a resolution to the employee grievance.

If the complaint alleges a violation of Title IX, Title II, or Section 504 of the Rehabilitation Act, or sexual harassment that is found to not fall within the scope of Policy 3085 and Procedure 3085P, the person who received the written grievance shall turn the complaint over to the nondiscrimination coordinator who shall investigate the complaint. The Network Schools has appointed nondiscrimination coordinators to assist in the handling of discrimination complaints. The coordinator will complete the investigation and file the report with the Executive Director within 30 days after receipt of the written grievance. The coordinator may hire an outside investigator if necessary. If the Executive Director agrees with the recommendation of the coordinator, the recommendation shall be implemented. If the Executive Director rejects the recommendation of the coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within 15 days of receiving the report of the coordinator to the Board for a hearing.

Level 3: Executive Director

If a resolution is not reached during the informal grievance meeting, the individual against whom a grievance is filed shall file a written response to the employee grievance within six working days after the conclusion of the informal grievance meeting. Thereafter, the employee may appeal the grievance to the Executive Director or his or her designee within six working days of the receipt of the written response or within six working days from the date the written response was due if the classified employee received no written response. Within six working days of an appeal, the Executive Director or designee shall provide a written response to the employee.

Level 4: Hearing Panel

If the classified employee is not satisfied with the decision of the Executive Director or his or her designee or there is no response from the Executive Director or designee, the employee may request a review of the grievance by a hearing panel within six working days of the response or lack thereof. A written appeal must be submitted to the Board and within ten working days of receiving the appeal. The Board shall convene a hearing panel consisting of three persons; one to be selected by the Board, one to be selected by the employee and one to be mutually agreed upon by the two appointed members of

the panel. The panel shall submit its decision in writing to the employee, the Executive Director, and the Board within ten working days of completing its review.

Level 5: The Board

The panel's decision shall be final unless the Board overturns the panel's decision by resolution at the Board's next regularly scheduled public meeting. The decision of the Board will be final, unless appealed within 42 calendar days of the Board's resolution to overturn the panel's decision in the district court in the county in which The Network School is located.

Procedure History:

Promulgated on: 10/26/2020

Revised on:

Reviewed on:

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5810 Overtime for Classified Employees

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

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

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

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

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019

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5820 Evaluation of Non-Certified Staff

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

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

Legal References: I.C. § 33-517 Non-certificated Personnel
 I.C. § 33-518 Employee Personnel Files

Policy History:

Adopted: 8/15/2012	Reviewed: 11/5/15- 1/19/16	Revised: 1/19/2016
	Reviewed: 2/25/2019	Revised: 2/25/2019