

Garden Valley School District No. 71

THE BOARD OF TRUSTEES

1140

Vacancies

A vacancy shall be declared by the board of trustees within thirty (30) days of when any of the following occurs:

1. a trustee dies;
2. a trustee resigns;
3. a trustee removes him/herself from the trustee's zone of residence;
4. a trustee no longer is a resident or school district elector of the district;
5. a trustee refuses to serve as trustee;
6. a trustee, without excuse acceptable to the board of trustees fails to attend four (4) consecutive regular meetings of the board; or
7. a trustee is recalled and discharged from office.

A trustee position also shall be vacant when an elected candidate fails to qualify.

A declaration of vacancy shall be made at any regular or special meeting of the board of trustees, when any of the above-mentioned conditions are determined to exist.

In the case of a trustee vacancy, the remaining trustees shall fill the vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will consider all applications from qualified persons seeking to fill the position in open session. The Board will appoint one (1) candidate to serve for the balance of the unexpired term of office which was declared vacant. In the event the board of trustees is unable to appoint a trustee from the zone vacated after ninety (90) days from the date the board declared the vacancy, the board of trustees may appoint a person at-large from within the boundaries of the school district to serve as the trustee from the zone where the vacancy occurred. Otherwise, after one hundred and twenty (120) days of the declaration of vacancy, the county commissioners of the county in which the district is situated (or of the home county if the district is a joint school district) shall appoint a qualified person to fill such vacancy.

Cross Reference: 1240 Duties of Individual Trustees

Legal Reference: I.C. § 33-501	Board of trustees
I.C. § 33-504	Vacancies on boards of trustees
I.C. § 67-2345(1)(a)	Executive Sessions When Authorized

Policy History:

Adopted on: 8-4-2011

Revised on:

BOARD OF TRUSTEES

1500

Board Meetings

Meeting Defined

A meeting is defined as the convening of the Board of Trustees to make a decision or to deliberate toward a decision on any matter. Trustees may participate in Board meetings via electronic means, including telephonic or video conferencing devices, provided at least one member of the Board of Trustees or Superintendent is physically present at the meeting location.

Regular Meetings

Unless otherwise specified, all meetings will be held in the Garden Valley School Room B5 - MPR. Regular meetings shall be held 6:00 PM on the third ~~Tuesday~~ **Wednesday** of each month. ~~Additional regular meetings may be called for by the Board of Trustees provided five (5) day notice of the meeting.~~

Emergency Meetings

In the event of an emergency involving possible personal injury or property damage, immediate financial loss, or the likelihood of injury, damage, or loss, the Board may meet immediately and take official action without prior notification when the notice requirements would make such notice impracticable or increase the likelihood or severity of such injury, damage, or loss, and the reason for the emergency is stated at the outset of the meeting.

Budget Meetings

No later than 28 days prior to its ~~annual~~ **regular July** meeting, the Board shall have prepared a budget, in the form prescribed by the State Superintendent of Public Instruction, and shall hold a public hearing. At such public hearing or at a special meeting held no later than 14 days after the public hearing, the Board shall adopt a budget for the ensuing year. Notice of the budget hearing shall be posted and published as prescribed in Idaho Code. From the time noticed, a copy of the budget shall be available for public inspection during regular business hours.

Special Meetings

Special meetings may be called by the Chair or by any two Trustees. If the time and place of special meetings has not been determined at a meeting of the Board with all members present, then written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each Trustee not less than 24 hours prior to the time of the meeting. Such written notice shall be posted conspicuously at the District Office and at least two or more public buildings within the

District. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

Executive Sessions

Pursuant to Idaho Code, upon a 2/3 roll call vote recorded in the minutes of the meeting, the Board may hold an executive session after the Board Chair has expressly identified the specific legal authorization for holding an executive session and provided sufficient detail to identify the general purpose and topic of the executive session. However, the information provided shall not compromise the purpose of going into an executive session. Only in the event that Board vacancies, and not absences, prevent a 2/3 majority from being present, a simple majority vote to enter into executive session may be called.

An executive session may be held for, and only for, the following purposes:

1. To consider hiring a public officer, employee, staff member, or individual agent wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. Please note this does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.
2. To consider the evaluation, dismissal, or disciplining of; or to hear complaint or charges brought against a public officer, employee, staff member or individual agent, or a student.
3. To acquire an interest in real property that is not owned by a public agency.
4. To consider records exempt from public disclosure.
5. To consider preliminary negotiations involving matters of trade or commerce in which the Board is in competition with other governing bodies in other states or nations.
6. To communicate with legal counsel and to discuss any legal ramifications and/or legal options for pending litigation or possible legal controversies not yet being litigated, but imminently likely to be litigated. The presence of legal counsel at executive session is not sufficient to satisfy this requirement.
7. To communicate with a representative of the District's risk management or insurance provider to discuss a pending claim or prevention of a possible claim imminently likely to be filed. The presence of a risk management or insurance provider at executive session is not sufficient to satisfy this requirement.
8. To conduct deliberations regarding labor negotiations. *Note: The Board may still deliberate regarding labor negotiations and may caucus regarding negotiations in Executive Session. However, all actual negotiations between the parties; such as the exchange of offers, counteroffers, and exchange of documents; must be conducted in open session.*

No action may be held for the purpose of taking any final action or making any final decisions except for making a determination to place a certified professional employee on probation **or taking action on a student disciplinary hearing.**

If only an executive session will be held, a 24-hour meeting and agenda notice shall include the date, time, place, items to be discussed, and the specific provision of law authorizing the executive session. The Board will not change the subject within the executive session to any subject not identified within the motion to enter executive session or to any topic for which an executive session is not provided.

Legal Reference:

I.C. § 33-205	Denial of Student Attendance
I.C. § 33-510	Annual Meetings – Regular Meetings – Board of Trustees
I.C. § 74-202	Open Public Meetings – Definitions
I.C. § 74-203	Governing Bodies—Requirement for Open Public Meetings
I.C. § 74-204	Notice of Meetings
I.C. § 74-205	Written Minutes of Meetings
I.C. § 74-206	Executive Sessions – When Authorized
I.C. § 74-206A	Negotiations in Open Session, Idaho Open Meeting Law Manual, current edition

Policy History:

Adopted on: 8-4-2011

Reviewed on: 10-11-18; 10-1-2019, 3-2-2023

Revised on: 10-15-2019

First Reading: 3-8-2023

Garden Valley School District No. 71

PERSONNEL

5100

Hiring Process and Criteria

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

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

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

Guidelines

1. There will be no discrimination in the hiring process. See Policy 5120.
2. Applicants for teaching positions shall provide evidence of meeting State requirements for regular certification and sign a statement authorizing current and past school district employers, including those outside the state of Idaho, to release to the District all information relating to job performance or job related conduct, and making available to the District copies of all documents in the applicant's previous personnel files, investigative, or other files. Such statement will also release the applicant's current and past employers from any liability for providing such information and documentation. Applicants who do not sign the statement/release shall not be considered for employment. The District will consider information received from current and past school district employers only for the purpose of evaluating applicants' qualifications for employment in the position for which they have applied and no one shall disclose such information to anyone, other than the applicant, who is not directly involved in the process of evaluating the applicants' qualifications for employment. Applicants may be employed on a non-contracted provisional basis as allowed by law. Applicants shall not be prevented from gaining employment if current or past out-of-state employers are prevented from or refuse to cooperate with the District's request. See Forms 5100F1 and 5100F2.
3. Candidates for high school and middle school positions should have a major or its equivalent in the specific teaching field(s). Elementary applicants should have a major or its equivalent in elementary education or in the special area of assignment(s). Applicants for specific teaching positions shall also meet the applicable State standards.
4. Applicants for all teaching positions should have a minimum over-all grade point average

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

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

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

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

Notice of Vacancies

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

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

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

1. Job Vacancy Notices: Any notice from Garden Valley School District No. 71 will contain the following information:

A. Position available and job description.

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

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

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

Preliminary Screening

1. At either the time the job vacancy is published, or prior to the conclusion of the application period, the school administrator will provide notice to the appropriate administrator of the desired number of qualified individuals to be included in the "screening pool". The screening pool shall be defined as the number of individuals having completed applications that may be submitted to the building or program administrator for final screening.
2. Should the building or program administrator desire to have applicants prioritized, he or she shall make such known to the appropriate administrator who will provide the prioritized list of a number consistent with the pool.

Screening

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

Acceptance Procedure

Once the Committee or administrator has selected the final candidate, the name will be provided to the Superintendent who will review the applicant's credentials with the building/program

administrator. If the Superintendent concurs with the recommendation, the Superintendent will:

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

Board Action

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

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

Approval

Upon approval by the Board of Trustees, a contract, in a form approved by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-513. The applicant must sign the contract and return it within ten (10) days from the date the contract is delivered to them. Should the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the board in the

designated period of time, the Board may declare the position vacant. Should the candidate not be approved, or the person willfully refuses to acknowledge receipt of the contract or the contract is not signed and returned to the board the Superintendent will remand the situation to the building administrator and screening committee to provide the next applicant's name for consideration.

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

Certification

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

Cross Reference:

5110	Fingerprinting and Criminal Background Investigations
5120	Equal Employment Opportunity and Non-Discrimination
5100F1, 5100F2, 5100F3	Hiring Process and Criteria Forms
5740PA1 – 2	Reduction in Force Procedures and Forms

Legal Reference:

I.C. § 33-130	Criminal History Checks for School District Employees or Applicants for Certificates
I.C. § 33-512	Governance of schools
I.C. § 33-513	Professional personnel
I.C. § 33-1210	Information on Past Job Performance
I.C. § 65-505	Officials to Observe Preference
I.C. § 74-206	Executive Sessions—When Authorized

Policy History:

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