

Pre-hiring Reference Process

Prior to final selection and/or hiring of any applicant who is currently or was previously employed by a district in or out of the state of Idaho, for a certificated or non-certificated position with this district, the district shall request that the applicant sign a statement authorizing the applicant's current and past employers to release to the district all information relating to the job performance and/or job related conduct, if any, of the applicant and make available to the district copies of all documents in the previous employer's personnel, investigative, or other files relating to the job performance of the applicant. The district shall not hire any applicant who does not sign the statement described above.

The district shall request the information described above in writing, or electronically. The district shall additionally request from the State Superintendent of Public Instruction verification of the certification status, and past or pending violations of the professional code of ethics, and information relating to job standards performance, verbal or physical abuse or sexual misconduct pursuant to the rules adopted by the state board of education, and shall include whether the then employing district concluded that the abuse or misconduct resulted in the employee's leaving his or her position with that district.

This district may request additional information regarding any applicant as it determines appropriate.

Applicants who have signed the required statement shall not be prevented from being employed by the district if the relevant out of state employers are prevented from making the requested materials available due to policy or law of the other state, or if the out of state district fails or refuses to cooperate with the request.

Conditional Hire

The district may hire an applicant on a conditional basis pending the completion of review of the information obtained pursuant to the requests.

Permitted Use of Information

All information received by the district pursuant to the above request may be used only for the purpose of evaluating an applicant's qualifications for employment for the position for which the applicant has applied. Such information may be disclosed only consistent with law. Any person who discloses such information other than as necessary in the evaluation and hiring process may be civilly liable for damages for such violation.

Requests for Information Regarding Current or Previous Employees

Not later than 20 business days after receipt of a written or electronic request from another Idaho district pursuant to the above signed statement, the district shall provide the information

requested and shall provide copies of all documents in the applicant's personnel record relating to job performance.

Immunity

The district or an employee acting on behalf of the district who in good faith discloses information pursuant to a request, is immune from civil liability for the disclosure. The district employee will be presumed to be acting in good faith at the time of this disclosure unless the evidence disclosed was false or misleading; that the district disclosed the information with reckless disregard for the truth; or, that the disclosure was specifically prohibited by a state or federal statute.



LEGAL REFERENCE:

Idaho Code Section 33-1210

ADOPTED: June 20, 2012

AMENDED: