



Brabeion Academy Policy ***5000s: Personnel***

BRABEION ACADEMY

5100

Hiring Process and Criteria

The Board of Directors has the legal responsibility of hiring all employees. The Board assigns to the Chief Education Officer the process of recruiting staff personnel. The Chief Education Officer 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 Chief Education Officer 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, experience in arts integration, 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 Brabeion Academy will be a paramount consideration in the selection of teachers and administrators.

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

Guidelines

There will be no discrimination in the hiring process.

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 Brabeion Academy 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. Brabeion Academy will consider information received from current and past school district employers only for the purpose of evaluating applicant's 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'

- B. Requirements for completed application, as applicable for position, may include but are not limited to:
 - a. A completed Brabeion Academy application form;
 - b. Official transcripts of all university or college credits;
 - c. Current hiring packet
 - d. A personal resume;
 - e. Verification or eligibility of Idaho certification; and
 - f. 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 1-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 Chief Education Officer 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 Brabeion Academy for consideration. Such time extension will be restricted to a reasonable time frame.
 - C. In addition to the certification information provided by the applicant, Brabeion Academy 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 Brabeion Academy. 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 Brabeion Academy.

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 Chief Education Officer will prepare a written recommendation for the applicant to be offered a contract by the Board.

Acceptance Procedure

Once the Chief Education Officer has selected the final candidate, the Chief Education Officer 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, Brabeion Academy 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, Brabeion Academy may employ the applicant on the school's certificated employee contract without utilizing the provisional, non-contracted employment.

- A. Upon receiving a verbal or written statement of intention to accept employment, pending Board approval, by the candidate, the Chief Education Officer and/or designee will prepare the necessary papers for recommendation to the Board of Directors at the next regular or special Board meeting.
- B. Submit to the Board of Directors such recommendation

Board Action

The Board of Directors of Brabeion Academy 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, which may comply with the forms recommended by the State Superintendent of Public Instruction, will be sent or given to the applicant pursuant to the requirements set out in I.C. 33-5206(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 Chief Education Officer will 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 Brabeion

Academy 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.

Legal Reference: I.C. § 33-130

Criminal History Checks for School
District Employees or Applicants for
Certificates

Policy History

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BRABEION ACADEMY

5100F2

Request to Employer Form

BRABEION ACADEMY REQUEST TO EMPLOYER IDAHO CODE 33-1210

Idaho Code 33-1210 requires all Idaho School employers to obtain past school employer performance information regarding any individual they are considering for hire, with regard to any position at an Idaho Public School. Specifically, the code section language states:

Before hiring an applicant, a School shall request, in writing, electronic or otherwise, the Applicant's current or past employers, including out-of-state employers, to provide the information described in subsection (2)(a) of this section, if any.

The aforementioned subsection (2)(a) of the statute requires Applicants to sign a statement "authorizing the applicant's current and past employers [meaning school employers], including employers outside of the State of Idaho, to release to the hiring school all information relating to the job performance and/or job related conduct, if any, of the applicant and making available to the hiring school copies of all documents in the previous employer's personnel, investigative, or other files relating to the job performance by the Applicant."

Enclosed please find a copy of the signed Authorization for Release of Information from _____, an Applicant for employment with the _____ Charter School. This individual has identified your School as a prior employer. Accordingly, we are requesting that you please provide to Brabeion Academy a copy of all information relating to this individual's performance as an employee with your School. In accordance with the terms of the statute in question, we request receipt of this information within twenty (20) business days after receipt of this request. This information may be sent either as written documentation or in electronic format. We would request that you advance this information to:

Brabeion Academy
1551 11th Avenue N
Nampa, ID 83687

It should be noted that this statute provides that any school or employee acting on behalf of the school, who in good faith discloses information pursuant to this section either in writing, printed material, electronic material or orally is immune from civil liability for the disclosure. An employer is presumed to be acting in good faith at the time of the disclosure under this section unless the evidence establishes one (1) or more of the following: (a) that the employer 5100F2-1 knew the information disclosed was false or misleading; (b) that the employer disclosed the information with reckless disregard for the truth; (c) that the disclosure was specifically prohibited by a state or federal statute.

Should you have any questions regarding this matter, please contact - Head of School and Sport at the above contact information.

Policy History

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5120

Equal Employment Opportunity and Non-Discrimination

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

Inquiries regarding discrimination should be directed to the Title IX or Nondiscrimination Coordinator. Specific written complaints should follow the Grievance Procedure.

In compliance with federal regulations, the School will notify annually all students and applicants of this policy and the designated coordinator to receive inquiries. Notification should include the name and location of the coordinator.

Cross References: 5250
5100

Certificated Staff Grievances
Hiring Process and Criteria

Legal References: 8 USC §§ 1324(a), *et seq.*
20 USC §§ 1681-82, *et seq.*
29 USC § 206(d)
29 USC §§ 621-34
29 USC §§ 791, *et seq.*
42 USC §§ 12101, *et seq.*
42 USC §§ 2000(e), *et seq.*
29 CFR Part 1601

Immigration Reform and Control Act
Title IX of the Education Amendments of 1972
Equal Pay Act of 1963 -Prohibition of Sex Discrimination
Age Discrimination in Employment Act
Rehabilitation Act of 1973
Title I of the Americans with Disabilities Act of 1990
Title VII of Civil Rights Act of 1964 (Equal Opportunity Employment)
Implementing Title VII of Civil Rights Act

29 CFR § 1604.10	Pregnancy Discrimination Act Employment Policies Relating to Pregnancy and Childbirth
34 CFR Part 106	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance
IC § 67-5909	State Government and State Affairs - Acts Prohibited
US Supreme Court Decision	Boystock v. Clayton County Georgia

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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 School 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 usable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Chief Education Officer is designated the Americans with Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the School's compliance efforts, recommend necessary modifications to the Board, and maintain the School's 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 Chief Education Officer 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: 5250

Legal References: 42 USC §§ 12111, *et seq.*,
& 12131, *et seq.*

Certificated Staff Grievances
The Americans with Disabilities
Act of 1990

28 CFR Part 35

Nondiscrimination on the
Basis of Disability in State
and Local Government
Services

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Sexual Harassment/Sexual Intimidation in the Workplace

The School is committed to providing a work environment that is free of unlawful harassment. In furtherance of this commitment, the School strictly prohibits all forms of unlawful harassment, which includes harassment on the basis of race, religion, color, sex, gender identity, sexual orientation, national origin, citizenship status, uniform service member status, age, disability or any other category protected by applicable state or federal law.

This policy against harassment applies to all employees, including supervisors and managers. The policy prohibits managers, supervisors and employees from harassing co-workers as well as customers, vendors, suppliers, independent contractors and others doing business with the School. In addition, the policy prohibits its customers, vendors, suppliers, independent contractors and others doing business with the School from harassing employees.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination.

Examples of Prohibited Sexual Harassment: Sexual harassment includes a broad spectrum of conduct including harassment based on gender, transgender and sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- unwanted sexual advances;
- offering an employment benefit (such as a raise, promotion or assistance with one's career) in exchange for sexual favors, or threatening an employment detriment (such as termination, demotion, or disciplinary action) for an employee's failure to engage in sexual activity;
- visual conduct, such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons or posters;
- verbal sexual advances, propositions, requests or comments;
- verbal abuse of a sexual nature, graphic verbal commentaries about an

- individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations;
- physical conduct, such as touching, assault, impeding or blocking movement;
- physical or verbal abuse concerning an individual's actual sex or the perception of the individual's sex; and
- verbal abuse concerning a person's characteristics such as vocal pitch, facial hair or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

Examples of What Constitutes Prohibited Harassment:

In addition to the above listed conduct, the School strictly prohibits harassment concerning race, color, religion, national origin, age or other protected characteristic. By way of illustration only, and not limitation, prohibited harassment concerning race, color, religion, national origin, age or other protected characteristic includes:

- slurs, epithets, and any other offensive remarks;
- jokes, whether written, verbal, or electronic;
- threats, intimidation, and other menacing behavior;
- other verbal, graphic, or physical conduct; and
- other conduct predicated upon one or more of the protected categories identified in this policy.

Harassment of students/parents, vendors, suppliers or independent contractors by our employees is also strictly prohibited. Such harassment includes the types of behavior specified in this policy, including sexual advances, verbal or physical conduct of a sexual nature, sexual comments and gender-based insults. Any such harassment will subject an employee to disciplinary action, up to and including immediate termination.

If an employee feels that he/she is being harassed by another employee, supervisor, manager or third-party doing business with the School, that employee should immediately contact the Academics Idaho legal department. In addition, if an employee observes harassment by another employee, supervisor, manager or non-employee, the incident should be reported to the Academics Idaho legal department. Appropriate action will also be taken in response to violation of this policy by any non-employee.

Notification of the problem is essential. Therefore, it is the employee's responsibility to bring concerns and/or problems to administration and/or Academics Idaho legal department attention so that necessary steps can be taken to address the situation. The School takes all complaints of unlawful harassment seriously and will not penalize an employee or retaliate against him/her in any way for reporting a harassment problem in good faith.

All complaints of unlawful harassment which are reported will be investigated as promptly as possible and corrective action will be taken where warranted. The School prohibits employees from hindering internal investigations and the internal complaint procedure. All complaints of unlawful harassment which are reported to management will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation.

Policy History

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Brabeion Academy
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5240F

Sexual Harassment/Sexual Intimidation in the Workplace

Acknowledgment

I have read and been informed about the content and expectations of the Sexual Harassment/Intimidation in the Workplace Policy. I have received a copy of the policy and agree to abide by the guidelines as a condition of employment and continuing employment by Brabeion Academy.

Employee Signature

Employee Printed Name

Date

Policy History

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Staff Complaints and Grievances

Brabeion Academy values open and proactive communication among and between the members of the school community, including parents, students, faculty, staff, administration, and the Board. Issues that are not dealt with directly can become destructive to the school community and, therefore, detrimental to the learning process of our students. The adults in the Brabeion Academy community must model for its students a willingness to address conflict directly, respectfully, and at the lowest level possible, whenever possible.

As such, Brabeion Academy will create a grievance policy consisting of four steps that is designed for settling differences in a prompt and equitable manner. These procedures guide how any adult member of the school community – parent, employee (faculty or nonfaculty), administrator, or other adult – is expected to express grievances about other members of the community.

The school's administration and Board both expect that conflict will be addressed and proactively dealt with following the fewest number of steps possible. The steps include:

Level 1: Informal

A staff member with a complaint is encouraged to first discuss it with the teacher, counselor, staff member, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Administrator (an administrator not involved in the complaint)

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 an administrator within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

It is important to emphasize that the Board will not become involved in a grievance until the final step of the process. Board members are expected to refer any member of the school community who may approach them with a grievance to the school's grievance policy and the proper process for resolving the issue. This process is designed to avoid Board

micromanagement and the creation of factions within the school.

If the complaint alleges a violation of Board policy or procedure, the administrator shall investigate and attempt to resolve the complaint. If either party is not satisfied with the administrator's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the administrator's decision. This request must be submitted to the Board within fifteen (15) days of the administrator's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Administrator shall conduct an investigation and will engage the Board Attorney to assist in filing a report within thirty (30) days after receipt of the written grievance. The Administrator may hire an outside investigator if necessary. If the complainant rejects the recommendation of the Administrator, and/or the complainant is not satisfied with the recommendations from Level 2 a written appeal must be submitted within fifteen (15) days of receiving the report of the Administrator to the Board for a hearing. The Board is the policy-making body of the school, therefore, appeals to that level must be based on whether or not policy has been followed or if a violation of the school's Employee Code of Ethics or the State Code of Ethics for Professional Educators has been violated. Any individual appealing a decision of the Administrator to the Board bears the burden of proving evidence of a failure to follow Board policy, Employee Code of Ethics, or State Code of Ethics.

Level 3: The Board

Upon receipt of a written appeal of the decision of the Administrator, and assuming the individual alleges a failure to follow Board policy or a violation of the Employee Code of Ethics or the State Code of Ethics, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. In addition to considering the evidence provided by the individual filing the complaint, the Board will offer due process to the teacher, counselor, staff member, or building administrator the alleged complaint involves. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

Policy History

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BRABEION ACADEMY

5260

Abused and Neglected Child Reporting

The personal safety and welfare of each child is of paramount concern to the Board of Directors, employees, and patrons of the School. It is of particular importance that employees within the School become knowledgeable and thoroughly educated as to their legal and ethical responsibilities regarding observation and reporting of suspected child abuse, child abandonment, or child neglect. The Chief Education Officer shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

"Abuse" is defined in I.C. § 16-1602 of the Idaho Code as 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, or soft tissue swelling. Abuse is further defined in I.C. 16-1602 to include 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. Abuse also includes abandonment and neglect.

"Abandoned" is defined as 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 year is evidence of abandonment. I.C. § 16-1602(2).

"Neglected" means a child:

Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his or her well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them with these items;

-I.C. § 16-1602(25).

A School employee who has reasonable cause to suspect that a student may be an abused, abandoned, or neglected as defined above or who observes a child

being subjected to conditions which would reasonably result in abuse, abandonment, or neglect shall report or cause to be reported such a case to local law enforcement or the Department of Health and Welfare within 24 hours.

Employees of the School shall notify their supervisor immediately of the case. The supervisor shall immediately notify the Chief Education Officer or the Chief Education Officer's designee, who shall in turn report or caused to be reported the case to local law enforcement or the Department of Health and Welfare.

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 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports that a child has been abused, abandoned, or neglected in bad faith or with malice is not entitled to immunity from any civil or criminal liability that might otherwise be incurred or imposed, per I.C. § 16-1606.

In addition, according to I.C. § 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.

Any School employee who fails to report a suspected case of abuse, abandonment, or neglect to the Department of Health and Welfare or local law enforcement, or who prevents another person from doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

Legal References:	IC § 16-1602	Child Protection Act: Definitions
	IC § 16-1605	Child Protection Act: Reporting of Abuse, Abandonment or Neglect
	IC § 16-1606	Child Protection Act: Immunity
	IC § 16-1607	Child Protection Act: Reporting in Bad Faith- Civil Damages

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5260F

Report of Suspected Child Abuse, Abandonment, or Neglect

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

Copy to: Chief Academic Officer _____

From: _____ **Title:** _____

Phone: _____

Persons Contacted: _____ Chief Academic Officer _____ Teacher _____ School Nurse

_____ Other _____

Name of Minor: _____ **Date of Birth:** _____

Address: _____ **Phone:** _____

Date of Report: _____ **Attendance Pattern:** _____

Father: _____ **Phone:** _____

Address: _____

Mother: _____ **Phone:** _____

Address: _____

Guardian or Step-Parent: _____ **Phone:** _____

Address: _____

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 Chief Academic Officer)

Date Received: _____

Date of Investigation: _____

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5265

Employee Responsibilities Regarding Student Harassment, Intimidation, and Bullying

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

Intervention

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

Intervention shall be designed to:

1. Correct the problem behavior;
2. Prevent another occurrence of the problem;
3. Protect and provide support for the victim of the act; and
4. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Professional Development

The School 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 School employees shall include, but is not limited to:

1. School philosophy regarding school climate and student behavior expectations;

2. Definitions of harassment, intimidation, and bullying with specific examples;
3. School prevention strategies or programs including the identification of materials to be distributed annually to students and parents;
4. Expectations and examples of staff intervention to harassment, intimidation, and bullying; and
5. 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 School Policies.

Reporting

Any 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 Chief Education Officer in accordance with School policy and procedure.

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

The Chief Education Officer 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 School office and reported as required by the State Department of Education.

Policy Distribution

The Chief Education Officer 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.

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Personal Conduct

Employees are expected to maintain high standards of honesty, integrity, and impartiality in the conduct of School business and are required to comply with 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 School, 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 School duties. A School 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. Care should be taken 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 school system's own network of communication.

School employees who are contacted by the media should direct such inquiries to either the individual in question or to the Chief Education Officer or his/her designee.

Administrators and supervisors may set forth specific rules and regulations governing an employees' conduct on the job within a particular building.

Personnel Conflict of Interest

It is not uncommon for a School to employ people who are related to one another or romantically involved with one another. However, it is inappropriate for one family member

or romantic partner to have direct influence over the other's conditions of employment (i.e., salary, hours worked, shifts, evaluation, etc.).

For the purpose of this policy, family member or romantic partners are defined as spouse, domestic partner, daughter, son, parent, grandparent, grandchild, sister, brother, mother-in-law, father-in-law, daughter-in-law, or son-in-law.

In any case, when employees are unsure about a potential conflict, they should fully disclose the circumstances in writing to their supervisor. If one family member or romantic partner has influence over another family member or romantic partner's conditions of employment, the following should occur:

1. In collaboration with the supervisor, the involved employees will be provided 30 days to make a decision regarding a change. Options include, but are not limited to:
 - A. One employee applying to transfer to another area; or,
 - B. Revising the reporting structure in the department so that one employee no longer has direct influence over the other employee's conditions of employment; or
2. If a decision is not reached by the end of the thirty-day period, the department head, or next level of administrator, will resolve the situation.

Nothing in this policy shall require the Chief Education Officer or Board, in the case when the conflict of interest directly relates to the Chief Education Officer, to transfer an employee to a different position in an effort to avoid a conflict of interest if doing so would not be in the best interest of the School.

Insubordinate Conduct

In the educational setting there are high expectations for employee behavior. This is necessary to ensure effective and efficient operation of the school and to model and reinforce appropriate professional interactions for our students. Accordingly, employees shall treat all administrators, students, and colleagues in an appropriate professional manner.

Employees shall comply with all work-related orders, instructions, and directives issued by a proper authority. Insubordination; manifest disrespect; acts or language which hamper(s) the school's ability to control, manage, or function; displays of unacceptable modeling of rules for students or staff; or any other serious breaches involving improper attitudes or improper action toward persons in positions of authority are just cause for and may result in employee discipline, up to and including possible termination.

Examples of improper/insubordinate conduct include, but are not limited to:

1. Disobeying an appropriate order, instruction or directive of a supervising employee or administrator;
2. Refusing to accept a reasonable and proper work assignment or directive of a supervising employee or administrator;
3. Disputing or ridiculing authority;
4. Exceeding authority; and/or;

5. Using vulgar, profane, or inappropriately elevated language to a supervising employee or administrator.

Inappropriate Behavior

Examples of inappropriate behavior of employees that could be considered misconduct include, but are not limited to:

1. Fighting or scuffling on School premises at any time;
2. Soliciting, encouraging interactions with students regardless of age including but not limited to physical, written and/or electronic media;
3. Engaging in grooming behaviors;
4. Giving gifts and/or privileges to individual students and/or their families that aren't accessible to all;
5. Failure to report grooming behaviors as witnessed;
6. Removing or borrowing School property without permission;
7. Threatening, intimidating, using profanity, or interfering with other employees on School property, at any time, whether on or off duty;
8. Making malicious, false, or derogatory statements that could reasonably result in damage to the integrity of the School or its employees;
9. Distributing or posting literature on School property or posting or removing bulletin board notices without proper authorization from the Principal;
10. Unauthorized soliciting or selling on School premises during hours of duty;
11. Acting in a manner that interferes with or disrupts the work environment, morale, or teamwork;
12. Gambling on School premises;
13. Theft;
14. Embezzlement;
15. Bribery or Kickbacks;
16. Personal gain through unauthorized charges to students or families;
17. Forgery of any document;
18. Alteration, destruction or concealment of documents pertaining to employment;
19. Making false claims or statements;
20. Personal gain through insider information or conflicts of interest;
21. Unauthorized personal use of the School's equipment;
22. Temporarily misappropriating funds for personal use (i.e. borrowing and repaying petty cash or other cash received);
23. Any activity designed to defraud the School;
24. Allowing any unauthorized individual into any School facility;
25. Smoking tobacco, using illegal drugs or being under the influence of, or using alcoholic beverages or being under the influence of, on School Property;
26. Sexually harassing another School employee or student; and
27. Other acts inconsistent with reasonable standards of employee conduct.

Policy History

Adopted on: June 15, 2026

Revised on:

Reviewed on: June 15, 2026



Brabeion Academy

Policy 5000s: Personnel

BRABEION ACADEMY

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 School 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 School recognizes that some student interactions occur outside the classroom. School 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 School property or at a School event shall report the misconduct to his or her supervisor, who shall notify the Chief Education Officer or the designee. The matter shall be investigated. Investigation of any report of sexual misconduct shall include an investigation of whether the incident constitutes a violation of Title IX. Sexual misconduct which does not fall within the definition of sexual harassment may still result in disciplinary action up to and including dismissal.

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 School 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 School, indicating that they have received and reviewed a copy of this policy.

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

Policy History

Adopted on: June 15, 2026

Revised on:

Reviewed on: June 15, 2026



Brabeion Academy Policy ***5000s: Personnel***

BRABEION ACADEMY

5280

Personal Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of School 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 School, 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 School duties. A School 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. Care should be taken 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 school system's own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing an employee's conduct on the job within a particular building.

Legal Reference: I.C. § 33-1208 Revocation, Suspension or Denial of Certificate – Grounds
Code of Ethics of the Idaho Teaching Profession

Policy History

Adopted on: June 15, 2026

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Reviewed on: June 15, 2026



Brabeion Academy

Policy 5000s: Personnel

BRABEION ACADEMY

5281

Professional Code of Ethics

This version of the Code of Ethics for Idaho Professional Educators was revised (2009) by the Professional Standards Commission and approved by both the State Board of Education and the Idaho legislature (IDAPA08.02.02.076).

The Idaho Code of Ethics consists of Ten (10) Principles. Below is a summary of those principles – please refer to the complete document for details.

Code of Ethics: The Ten Principles (Summary)

- **Principle I:** A professional educator abides by all federal, state, and local laws and statutes.
- **Principle II:** A professional educator maintains a professional relationship with all students, both inside and outside the classroom.
- **Principle III:** A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice.
- **Principle IV:** A professional educator exemplifies honesty and integrity in the course of professional practice.
- **Principle V:** A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility.
- **Principle VI:** A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation.
- **Principle VII:** A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law.

- **Principle VIII:** A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract.
- **Principle IX:** A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators, and submits reports as required by Idaho Code.
- **Principle X:** A professional educator demonstrates conduct that follows generally recognized professional principles with the right to exercise academic freedom.

Under Idaho Code §§ 33-1208; 33-1208A and 33-1209, a violation of the Code of Ethics of the Idaho Teaching Profession may lead to a letter of reprimand, suspension, revocation, or denial of a certificate.

Legal Reference: IDAPA 08.02.02.076

I.C. § 33-1208

I.C. § 33-1208A

I.C. § 33-1209

Policy History

Adopted on: June, 15, 2026

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Reviewed on: June 15, 2026



Brabeion Academy Policy ***5000s: Personnel***

BRABEION ACADEMY

5282

Employee Evaluations

Employee evaluations play an important role in maintaining and improving the quality of education offered at Brabeion Academy. Evaluations promote growth in employees and excellence in services provided. Therefore, Brabeion Academy will conduct employee evaluations for all staff on an annual basis. Evaluations will be based on best educational practices and conform to all state requirements.

Policy History

Adopted on: June 15, 2026

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Brabeion Academy Policy

5000s: Personnel

BRABEION ACADEMY

5285

Solicitations

Teachers will not sell, solicit for sale, or advertise for sale for personal gain any merchandise or service. Nor will teachers organize students for such purposes without the approval of the Chief Education Officer.

Solicitations of Staff Members

No non-Brabeion Academy organization may solicit funds from employees or distribute flyers related to fund drives through the School without the approval of the Chief Education Officer.

Policy History

Adopted on: June, 15, 2026

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Brabeion Academy
Policy 5000s: Personnel

BRABEION ACADEMY

5310

Tobacco Free Policy

The School maintains tobacco free buildings and grounds. Use of tobacco will not be allowed in any buildings or grounds nor will employees be allowed to use tobacco while on duty. New employees of the School will be hired with the understanding that they will be directed not to use tobacco in school buildings or grounds. Limitations or prohibitions on tobacco use are applicable to all hours.

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

Policy History

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Brabeion Academy

Policy 5000s: Personnel

BRABEION ACADEMY

5320

Alcohol and Drug Free Workplace

Each employee has a responsibility to the students to provide a safe and conscientious environment that promotes learning. Accordingly, all employees must report to work and remain completely free from the presence of drugs or under the influence of alcohol.

All employees are prohibited from manufacturing, cultivating, distributing, dispensing, possessing or using illegal drugs or other unauthorized, mind-altering or intoxicating substances. Included within this prohibition are lawful controlled substances, which have been illegally or improperly obtained. This policy does not prohibit the possession and proper use of lawfully prescribed drugs taken in accordance with the prescription.

Employees are also prohibited from having any such illegal or unauthorized controlled substances in their system while at work, and from having excessive amounts of otherwise lawful controlled substances in their systems. This policy does not apply to the authorized dispensation, distribution or possession of legal drugs where such activity is a necessary part of an employee's assigned duties.

Alcohol/Marijuana Use/Distribution/Possession/Impairment

All employees are prohibited from distributing, dispensing, possessing or using alcohol or marijuana while at work or on duty. Furthermore, off-duty alcohol and/or marijuana use, while generally not prohibited by this policy, must not interfere with an employee's ability to perform the essential functions of his/her job or reflect badly on the School; therefore, alcohol and/or marijuana consumption at School sponsored events or while chaperoning field trips is prohibited.

Prescription Drugs

The proper use of medication prescribed by your physician is not prohibited; however, we do prohibit the misuse of prescribed medication. Employees' drug use may affect their job performance, such as by causing dizziness or drowsiness. If a drug test is requested or required by the School, employees may disclose such prescriptions on the request form at the drug testing facility. It is the employee's responsibility to determine from his/her physician whether a prescribed drug may impair job performance.

Notification of Impairment

It shall be the responsibility of each employee who observes or has knowledge of another employee in a condition which impairs the employee in the performance of his/her job duties, who presents a hazard to the safety and welfare of others, or is otherwise in violation of this policy, to promptly report that fact to his/her immediate supervisor.

Who is Tested?

Drug tests may be conducted in the following circumstances:

- a. Application for Employment. Job applicants may be required to submit to a drug test. Refusal to submit to a drug test or a positive confirmed drug test may be used as a basis for refusal to hire the applicant.
- b. Reasonable Suspicion. Employees may be required to submit to drug/alcohol screening when there is a reasonable suspicion that they have violated any of the rules set forth in this policy. Reasonable suspicion may arise from, among other factors, supervisory observation, co-worker reports or complaints, performance decline, attendance or behavioral changes, results of drug searches or other detection methods, or involvement in a work related injury or accident.
- c. Other Bases for Testing. Employees may be subject to random or periodic drug testing to the extent permitted by applicable state and federal laws.

Discipline

Violation of this policy or any of its provisions may result in discipline up to and including termination of employment.

Enforcement Policy

In order to enforce the policies and procedures, we may investigate potential violations and require personnel to undergo drug/alcohol screening, including urinalysis, blood tests or other appropriate tests and, where appropriate, searches of all areas of the School's physical premises, including, but not limited to work areas, personal articles, employees' clothes, desks, work stations, lockers, and personal and School vehicles. Employees will be subject to discipline up to and including discharge for refusing to cooperate with searches or investigations, to submit to screening or for failing to execute consent forms when required by supervision.

Investigations/Searches

Where a manager or supervisor has reasonable suspicion that an employee has violated the substance abuse policy, the supervisor, or his designee, may inspect vehicles, lockers, work areas, desks, purses, briefcases, and other locations or belongings without prior notice, in order to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock. Locked areas or containers do not prevent searching that area, thus employees should have no expectation of privacy for personal belongings brought on School premises. Where the employee is not present or refuses to remove a personal lock, the School may do so for him or her, and compensate the employee for the lock. Any such searches will be coordinated with a representative of management. The School may use unannounced drug detection methods to conduct searches.

All employees who test positive in a confirmed substance test will be subject to discipline up to and including termination.

Legal Reference: Drug Free Workplace Act of 1988

Policy History

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Brabeion Academy ***Policy 5000s: Personnel***

BRABEION ACADEMY

5330

Cellular Phones, PDAs, and Other Handheld Electronic Devices

While at work, employees are expected to exercise the same discretion in using personal cellular phones, PDAs, and other handheld electronic devices as is expected for the use of all School devices and equipment. Excessive use of these handheld devices during the workday can interfere with employee productivity and be distracting to others. No personal calls or personal text messaging, instant messaging, emailing and other means of electronic communications should occur while students are in the classroom. Employees are, therefore, asked to use these handheld devices for personal use outside of working hours, and to ensure that friends and family members are aware of the School's policy.

Flexibility will be provided in circumstances demanding immediate attention. The School will not be liable for the loss of handheld devices brought into the workplace.

Recording Devices

To maintain the security of our premises and systems, and the privacy of our employees and students, the School prohibits the unauthorized distribution or publication (including postings on social web sites such as Facebook) of photography, audio or video recording of its employees, confidential documents, or students. This prohibition includes the use of cell phones or tablets equipped with cameras and audio and video recording capabilities. Employees may not use a cell phone, tablet, camera phone, PDA or any other handheld device in a manner that violates our No Harassment Policy, Equal Employment Opportunity Policy, or other School policies. Employees may not use a cell phone, tablet, camera phone, PDA or any other handheld device in any way that may be seen as insulting, disruptive, obscene, offensive, or harmful to morale. Employees who violate this policy are subject to discipline, up to and including immediate termination of employment.

Teachers and other classroom personnel may use a cellular phone, PDA, or another handheld electronic device to take pictures or video of classroom activities or to track a student's progress. This may be done only if the video or photo is taken through an education sharing program that has been approved by the Chief Education Officer and can be shared with parents. The photo or video must be stored on the password protected education sharing program and cannot be stored on the cellular phone, PDA, or handheld electronics general photo or video folder. Failure to comply with this policy is grounds for termination.

Safety

Issues

for

Handheld

Devices

Employees are expected to refrain from using their handheld devices while driving in connection with their job duties, except as set forth below. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull over to the side of the road and safely stop the vehicle before using any handheld device. Under no circumstances are employees allowed to place themselves or anyone else at risk to fulfill business needs. If an employee needs to make a phone call while driving, the employee must use a hands-free device. However, under no circumstances may an employee, while driving, use any electronic wireless communications device to write, send, or read any text-based communication, including text messages, instant messages, and/or email messages.

Employees who are charged with traffic violations resulting from the use of their handheld devices while driving will be solely responsible for all liabilities that result from such actions. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

Special Responsibilities for Administration

As with any policy, School Administration employees are expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

Policy History

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Brabeion Academy

Policy 5000s: Personnel

BRABEION ACADEMY

5340

Evaluation of Certificated Personnel

Brabeion Academy has a firm commitment to performance evaluation of Brabeion Academy 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 Brabeion Academy goals, and to assist with decisions regarding personnel actions. This policy applies to certificated personnel, but Brabeion Academy shall differentiate between non-instructional and pupil instructional personnel. The Chief Instruction and Assessment Officer 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.

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. 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/her know that the supervisor is interested in his/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/her supervisor.
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 Chief Instruction and Assessment Officer, 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 safeguard and filing of completed evaluations.
6. Creating and implementing a plan for ongoing training for evaluators and certificated personnel on Brabeion Academy's evaluation standards, forms, and process and a plan for collecting and using data gathered from the evaluations;
7. Creating a plan for ongoing review of Brabeion Academy's Performance Evaluation Program that includes stakeholder input from teachers, Board members, administrators, parents and/or 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.
9. Creating an individualizing evaluation rating system plan 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 teachers and pupil personnel certificate holders. Brabeion Academy will use four performance levels with the following point values: 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 and distinguished being equal to a rating of 4.

The Immediate Supervisor (Evaluator) is the employee's evaluator and has the responsibility 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 Evaluation Forms as required.

Written Evaluation

Evaluation Form: Written evaluation shall be completed for each certificated employee by June 1st. 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 and/or responsibilities. The evaluation is designed to increase planning and relate performance to assigned responsibilities through joint understanding between the immediate supervisor (evaluator) and the employee as to the job description and major performance objectives.

As determined by the Board, the evaluation will also include research based objective measures of growth in student achievement. Aggregate data shall be considered as a part of Brabeion Academy Needs Assessment in determining professional development offerings.

Evaluation Measures

Observations: Periodic classroom observations shall be included in the evaluation process with a minimum of two (2) documented observations annually for certificated personnel, 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.

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. Brabeion Academy's evaluation will include portfolios, parent surveys, and student surveys as measures to inform the Professional Practice portion.

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 defined in Section 33- 1001, Idaho Code, as applicable to the position. This portion of the evaluation may be calculated using current and/or the immediate 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's Framework for Teaching Second Edition* and will include, at a minimum, the following general criteria upon which the Professional Practice performance evaluation system will be based. Individual domain and component ratings must be determined based on a combination of professional practice and student achievement as specified above.

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 Employees

Goal Setting Meetings: Goal setting meetings will occur within the first quarter of the school year. During this meeting, the employee will identify two goals (1) student outcome goal, and (2) professional learning/personal goal. Progress toward goals will be included in the final evaluation of the year.

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/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:

- 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. Recommendations should specifically state methods to correct weaknesses and/or prepare the employee for future promotions.
- Allow the employee to make any written comments he/she desires. Inform the employee that he/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 form indicating that he/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 include the performance evaluation in the employee's personnel file.

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 and retained in the employee's personnel file.

If the supervisor chooses not to amend the evaluation form as requested by the employee then the evaluation along with the written rebuttal/appeal, and the supervisor's response, if any, will be retained in the employee's personnel file.

Action

Each evaluation will include identification of the actions, if any, available to Brabeion Academy 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, Brabeion Academy 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 Brabeion Academy's evaluation plan shall be resubmitted to the State Department of Education for approval.

Brabeion Academy 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 Reference: I.C. § 33-514

I.C. § 33-515

I.C. § 33-518

I.C. § 33-1001

IDAPA 08.02.02.120

Issuance of Annual Contracts – Support programs

Categories of Contracts – Optional Placement –
Written Evaluation

Issuance of Renewable Contracts

Employee Personnel Files

Definitions

Local Evaluation Policy

Policy History

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Personal Leave of Absence

Additional types of unpaid personal leaves of absence may be granted in the sole discretion of administration, for up to a maximum of two weeks. An extension beyond two weeks will be considered on an individual basis.

Failure to report to work as scheduled following a leave of absence may result in discipline, including termination. Time spent on personal leave of absence will not be used for computing benefits such as vacation or holidays.

Employees should speak directly with Chief Education Officer prior to taking a leave to ensure your understanding of all of your obligations to the School while on leave, such as your periodic reporting and re-verification obligations. Failure to comply with School policy may substantially affect the ability to return to work under this policy.

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Family Medical Leave

The Family and Medical Leave Act (“FMLA”) provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave an employee may use is either 12 or 26 weeks within a 12-month period depending on the reasons for the leave.

Employee Eligibility

To be eligible for FMLA leave, you must:

1. Have worked at least 12 months for the School in the preceding seven years (limited exceptions apply to the seven-year requirement);
2. Have worked at least 1,250 hours for the School over the preceding 12 months; and
3. Currently work at a location where there are at least 50 employees within 75 miles.

Conditions Triggering Leave

FMLA leave may be taken for the following reasons:

1. Birth of a child, or to care for a newly-born child (up to 12 weeks);
2. Placement of a child with the employee for adoption or foster care (up to 12 weeks);
3. To care for an immediate family member (employee’s spouse, child, or parent) with a serious health condition (up to 12 weeks);
4. Because of the employee’s serious health condition that makes the employee unable to perform the employee’s job (up to 12 weeks);
5. To care for a Covered Servicemember with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or,
6. To handle certain qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on duty under a call or order to active duty in the Uniformed Services (up to 12 weeks) (see Military-

Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a 12-month period for all reasons combined is 12 weeks, with one exception. For leave to care for a Covered Servicemember, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks.

Definitions

A “Serious Health Condition” is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

A “Covered Servicemember” is a member or veteran of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The term “serious injury or illness” means an injury or illness incurred by the member in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating, or one that existed before the beginning of active duty and was aggravated by service in the line of duty while on active duty. With regard to veterans, the injury or illness may manifest itself before or after the individual assumed veteran status.

“Qualifying exigencies” include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, and post-deployment debriefings.

Identifying the 12-Month Period

The School measures the 12-month period in which leave is taken by the “rolling” 12-month method, measured backward from the date of any FMLA leave with one exception. For leave to care for a covered Servicemember, the School calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered Servicemember and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

Using

Leave

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered Servicemember, his or her injury or illness. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies.

Intermittent leave is not permitted for the birth of a child, to care for a newly-born child, or for placement of a child for adoption or foster care. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the School's operations.

Use of Accrued Paid Leave

Depending on the purpose of your leave request, you may choose (or the School may require you) to use accrued Paid Time Off concurrently with some or all of your FMLA leave. In order to substitute paid leave for FMLA leave, an eligible employee must comply with the School's normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice, etc.)

Maintenance of Health Benefits

If you and/or your family participate in our group health plan, the School will maintain coverage during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the School may recover premiums it paid to maintain health coverage or other benefits for you and your family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

Notice and Medical Certification

When seeking FMLA leave, you are required to provide:

1. Sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You must also inform the School if the requested leave is for a reason for which FMLA leave was previously taken or certified. If the need for leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the School's normal call-in procedures, absent unusual circumstances.
2. Medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within 15 calendar days of the School's request to provide the certification (additional time may be permitted in some circumstances). If you fail to do so, we may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave, in which case your leave of absence would be treated in accordance with our standard leave of absence and attendance policies, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required.
3. Periodic reports as deemed appropriate during the leave regarding your status and intent to return to work.
4. Medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition. The School will require this certification to address whether you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

Employer Responsibilities

To the extent required by law, the School will inform employees whether they are eligible under the FMLA. Should an employee be eligible for FMLA leave, the School will provide them with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the School will provide a reason for the ineligibility. The School will also inform employees if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the School determines that the leave is not FMLA-protected, the School will notify the employee.

Job Restoration

Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Failure to Return After FMLA Leave

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the School's standard leave of absence and attendance policies. This may result in termination if you have no other School-provided leave available to you that applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the School's obligation to maintain your group health plan benefits ends (subject to any applicable COBRA rights).

Other Employment

The School generally prohibits employees from holding other employment. This policy remains in force during all leaves of absence including FMLA leave and may result in disciplinary action, up to and including immediate termination of employment.

Fraud

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

Employers' Compliance with FMLA and Employee's Enforcement Rights

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

While the School encourages employees to bring any concerns or complaints about compliance with FMLA to the attention of the Human Resources Department, FMLA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Limited Nature of This Policy

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The School reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.

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Civic Duties

The School encourages each of its employees to accept his or her civic responsibilities and we are pleased to assist you in the performance of your civic duties.

Jury Duty

If you receive a call to jury duty, please notify your supervisor immediately so he or she may plan to assist your classroom with as little disruption as possible. While you are on jury duty, the School will pay the difference between your basic rate of pay and the total amount of pay you receive from serving as a juror, for up to one week per calendar year.

Employees who are released from jury service before the end of their regularly scheduled work day are expected to call their supervisor as soon as possible and report to work if requested.

Witness Duty

If you receive a subpoena to appear in court, please notify your supervisor immediately. You are expected to return to work as soon as your service as a witness is completed.

Voting

In circumstances where employees find that his/her hours of employment make it impracticable to vote before or after work, the School shall provide the employee a sufficient amount of time to vote. The amount of time provided to the employee shall be between 1-3 hours depending on the distance between the polling place and where the employee is employed. Employees who will need a leave of absence to vote shall notify their supervisor prior to the day of the election.

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Paid Leave

Any employee who works an average of 20 hours or more per week, for more than 4 consecutive months, will qualify for PERSI benefits. PERSI establishes a mandatory contribution percentage, to be deducted from the employee's paycheck each month, and a monthly employer contribution percentage. Employees who qualify for PERSI will receive 9 days of sick leave per school year. An employee, who qualifies at a time other than the beginning of the school year, will receive one day per month of the remaining school calendar. Brabeion Academy employees who have sick leave accrued, at previous PERSI employers, may have those sick leave days transferred to their Brabeion PERSI account. A transfer form is available from the administrator. Brabeion Academy will accept the maximum number of days allowed by Idaho Code. Brabeion Academy does not limit the number of sick leave days an employee can accumulate.

Termination/Resignation

In the event that a Licensed Instructional Staff member resigns or is terminated, they forfeit their unused PTO day.

Administrators/Office Staff

The Rollover and Cash-Out options are not available to Administrators or other school staff.

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