

Code 401.1

Equal Employment Opportunity

Choice Charter School will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district will take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The board will appoint an affirmative action coordinator. The affirmative action coordinator will have the responsibility for drafting the affirmative action plan. The affirmative action plan will be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board will consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, sex, national origin, religion, age, sexual orientation, gender identity or disability. In keeping with the law, the board will consider the veteran status of applicants.

Prior to a final offer of employment for any teaching position the school will perform the background checks required by law. The district may determine on a case-by-case basis that, based on the duties, other positions within the district will also require background checks. Based upon the results of the background checks, the school district will determine whether an offer will be extended. If the candidate is a teacher who has an initial license from the BOEE, then the requirement for a background check is waived.

Advertisements and notices for vacancies within the district will contain the following statement: "Choice Charter School is an EEO/AA employer." The statement will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Choice Charter School, PO Box 193, Union, Iowa 50258 or by telephoning (515) 850 - 2545.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Equal Employment Opportunity Commissions, Milwaukee Area Office, Reuss Federal Plaza, 310 West Wisconsin Ave., Suite 800, Milwaukee, WI., 53203-2292, (800) 669-4000 or TTY (800) 669-6820. <http://www.eeoc.gov/field/milwaukee/index.cfm> or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281-4121 or 1-800-457-4416, <http://www.state.ia.us/government/crc/index.html>. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office.

NOTE: This is a mandatory policy and reflects the law. The language on background checks is not required to be in policy, but is recommended. Boards choosing to perform background checks may add this language or develop their own.

Approved _____ Reviewed _____

Code 401.6

Limitations to Employment References

Choice Charter School will maintain personnel records on employees. The records are important for the daily administration of the educational program, for implementing board policy, for budget and financial planning, and for meeting state and federal requirements.

The records will include, but not be limited to, records necessary for the daily administration of the school district, salary records, evaluations, application for employment, references, and other items needed to carry out board policy. Employee personnel files are school district records and are considered confidential records and therefore are not generally open to public inspection or accessibility. Only in certain

limited instances, when the employee has given a signed consent, will employee personnel records be accessible to individuals other than the employee or authorized school officials.

Employees may have access to their personnel files, with the exception of letters of reference, and copy items from their personnel files at a time mutually agreed upon between the CEO and the employee. The school may charge a reasonable fee for each copy. However, employees will not be allowed access to the employment references written on behalf of the employee. Board members will generally only have access to an employee's file when it is necessary because of an employee related matter before the board.

It will be the responsibility of the CEO to keep employees' personnel files current. The school HR Director will be the custodian of employee records.

It will be the responsibility of the CEO to develop administrative regulations for the implementation of this policy.

Legal Reference: Iowa Code chs. 20; 21; 22; 91B (2003).

Clymer v. City of Cedar Rapids, No. 209/97-1705 (Iowa 1999).

Des Moines Independent Community School District v. Des Moines Register and Tribune Company, 487 N.W. 2d 666 (Iowa 1992).

City of Dubuque v. Telegraph Herald, Inc., 297 N.W. 2d 523 (Iowa 1980).

Cross Reference: 402.1 Release of Credit Information

403 Employees' Health and Well-Being

708 Care, Maintenance and Disposal of School District
Records

Code 401.10

Credit Cards and procurement Cards

Choice Charter School may secure and maintain credit cards for actual and necessary business expenses incurred by administrators in the performance of their duties. Actual and necessary business expenses incurred in the performance of work-related duties include, but are not limited to, fuel for School transportation vehicles used for transporting students to and from school and for school-sponsored courses or events; and accommodation, travel and other expenses related to the professional development of Board members, administrators and other employees. Employee meals are not an appropriate use of district credit cards.

Administrators using a School credit card must submit detailed, itemized receipts in addition to a credit card receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide proper receipts shall make the expense a personal expense. Those expenses are reimbursed to the School no later than ten (10) working days following use of the School's credit card. In exceptional circumstances, the CEO or Board may allow a claim without proper receipt. However, written documentation explaining the exceptional circumstances shall be maintained as part of the School's record of the claim.

It shall be the responsibility of the CEO or designee to determine whether the school district credit card use is for appropriate school business. It shall be the responsibility of the Board to determine through the audit and approval process of the board whether claims submitted through use of School credit cards are appropriate School business expenses.

The CEO shall be responsible for developing administrative regulations regarding the physical possession and use of School credit cards. The administrative regulations shall include the appropriate form(s) to be filed for obtaining a credit card.

Legal Reference: (Code of Iowa) Iowa Constitution, Art. III, § 31.
Iowa Code 279.8, 279.29, 279.30

Cross Reference: 705.1 Purchasing Policy
705.4 Receiving Supplies and Equipment
705.5 Approval and Payment for Goods and Services
401.11 Travel Allowance
705.3 Requisition and Purchase Order

Approved _____ Reviewed _____

Code 401.14

Employee Expression

The board believes the school has an interest in maintaining an orderly and effective work environment while balancing employees' First Amendment rights to freedom of expression and diverse viewpoints and beliefs. When employees speak within their official capacity, their expression represents the district and may be regulated. The First Amendment protects a public employee's speech when the employee is speaking as an individual citizen on a matter of public concern. Even so, employee expression that has an adverse impact on district operations and/or negatively impacts an employee's ability to perform their job for the district may still result in disciplinary action up to and including termination.

Employees who use social media platforms are encouraged to remember that the school community may not be able to separate employees as private citizens, from their role within the district. Employee expression on social media platforms that interferes with the district's operations or prevents the district from functioning efficiently and effectively may be subject to discipline up to and including termination.

A school employee who acts to protect a student for engaging in free expression or who refuses to infringe on students engaging in free expression; and who is acting within the scope of their professional ethics will not be retaliated against or face any adverse employment action based on their behavior provided that expression is otherwise permitted by law and board policy.

If the board or court finds an employee that is subject to licensure, certification or authorization by the Board of Educational Examiners discriminated against a student or other co-employee, the board will refer the employee to the Board of Educational Examiners for additional proceedings as required by law and which may result in discipline up to and including termination.

Note: This is a mandatory policy required by Iowa Code ch. 279.73.

Legal Reference: U.S. Const. Amend. I

Iowa Code §§ 279.73; 280.22

Cross Reference: 502.3 Student Expression

504.3 Student Publications

Approved _____ Reviewed _____

Code 405.2

Licensed Employee Qualifications, Recruitment, Selection

Section 279.13 of the Code of Iowa states: "1. Contracts with teachers, which for the purpose of this section means all licensed employees of a school district and nurses employed by the Board, excluding superintendents, assistant superintendents, principals, and assistant principals, shall be in writing and shall state the number of contract days, the annual compensation to be paid, and any other matters as may be mutually agreed upon. The contract may include employment for a term not exceeding the ensuing school year, except as otherwise authorized.

The contract is invalid if the teacher is under contract with another board of directors to teach during the same time period until a release from the other contract is achieved. The contract shall be signed by the president of the board, or by the superintendent if the board has adopted a policy authorizing the superintendent to sign teaching contracts, when tendered, and after it is signed by the teacher, the contract shall be filed with the secretary of the board before the teacher enters into performance under the contract.

2. The contract shall remain in force and effect for the period stated in the contract and shall be automatically continued for equivalent periods except as modified or terminated by mutual agreement of the Board of Directors and the teacher or as terminated in accordance with the provisions specified in this chapter. A contract shall not be offered by the employing board to a teacher under its jurisdiction prior to March 15 of any year. A teacher who has not accepted a contract for the ensuing school year tendered by the employing board may resign effective at the end of the current school year by filing a written resignation with the secretary of the board. The resignation must be filed not later than the last day of the current school year or the date specified by the employing board for return of the contract, whichever date occurs first. However, a teacher shall not be required to return a contract to the board or to resign less than twenty-one days after the contract has been offered.

3. If the provisions of a contract executed or automatically renewed under this section conflict with a collective bargaining agreement negotiated under chapter 20 and effective when the contract is executed or renewed, the provisions of the collective bargaining agreement shall prevail."

Legal Reference: Harris v. Manning Independent School District, 66 NW2d 438 (1954).
Shackelford v. District Township of Beaver, Polk Co., 212 NW 467 (1927).
Burkhead v. Independent School District of Independence, 77 NW 491 (1898).

Af-We-Va Community School District v. Long and Henkenius, 292 N.W.2d 402 (Iowa 1980).

Burton v. Ames Community School District, 291 N.W.2d 351 (Iowa 1980).

Hartman v. Merged Area VI Community College, 270 N.W.2d 822 (Iowa 1978).

Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine, 262 N.W.2d 249 (Iowa 1978).

Iowa Code ch. 20; 272; 279.12-.19B, .27; 294.1 (2013).

Cross Reference :

Approved _____ Reviewed _____

Code 407.4

Licensed Employee Suspension

Licensed employees will perform their assigned job, respect and follow board policy and obey the law. The CEO is authorized to suspend a licensed employee pending board action on a discharge, for investigation of charges against the employee, and for disciplinary purposes. It is within the discretion of the superintendent to suspend a licensed employee with or without pay.

In the event of a suspension, appropriate due process will be followed.

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1987).

McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).

Iowa Code §§ 20.7, .24; 279.13, .15-.19, .27.

Cross Reference: 404 Employee Conduct and Appearance

407 Licensed Employee Termination of Employment

Approved _____ Reviewed _____

Code 408.1

Licensed Employee Professional Development

The board encourages licensed employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board will maintain and support an inservice program for licensed employees. Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, is made to the CEO. Approval of the sCEO must be obtained prior to attendance by a licensed employee in a professional development program when the attendance would result in the licensed employee being excused from their duties or when the school pays the expenses for the program.

The CEO will have sole discretion to allow or disallow licensed employees to attend or participate in the requested event. When making this determination, the CEO will consider the value of the program for the licensed employee and the school district, the effect of the licensed employee's absence on the education program and school district operations and the school's financial situation as well as other factors deemed relevant in the judgment of the CEO. Requests that involve unusual expenses or overnight travel must also be approved by the board.

NOTE: This is a mandatory policy.

Legal Reference: Iowa Code § 279.8. 281 I.A.C. 12.7; 83.6

Cross Reference: 414.9 Classified Employee Professional Purposes Leave

Approved _____ - Reviewed _____

Code 411.2

Classified Employee Qualifications, Recruitment, Selection

Persons interested in a classified employee position will have an opportunity to apply and qualify for classified employee positions in the school in accordance with applicable laws and school policies regarding equal employment. Job applicants for classified employee positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate, if required, for the position.

All job openings shall be submitted to the Iowa Department of Education for posting on TeachIowa, the online state job posting system. Additional announcements of the position may occur through means the CEO believes will inform potential applicants about the position. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who directly supervises and oversees the position. The CEO will recommend employment of classified employees to the board for approval. NOTE: This is a mandatory policy. The board has the authority to delegate hiring of classified staff to the CEO if it is stated in board policy. The board has to specify in policy the classified positions the CEO is authorized to hire.

Legal Reference: 29 U.S.C. §§ 621-634.

42 U.S.C. §§ 2000e; 12101 et seq.

Iowa Code §§ 20; 35C; 216; 256.27; 279.8; 279.20 281 I.A.C. 12

Cross Reference: 401.1 Equal Employment Opportunity

411 Classified Employees - General

Approved _____ - Reviewed _____

Code 413.3

Classified Employee Suspension

Classified employees will perform their assigned job, respect and follow board policy and obey the law. The CEO is authorized to suspend a classified employee with or without pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It is within the discretion of the CEO to suspend a classified employee with or without pay. In the event of a suspension, due process will be followed.

NOTE: This is a mandatory policy.

Approved _____ Reviewed _____