

Moved by Goedde

Seconded by Mortimer

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 564, As Amended

AMENDMENT TO SECTION 2

1
2 On page 5 of the engrossed bill, delete lines 3 and 4, and insert:

3 "tation due to a voluntary separation from employment or the employee's
4 refusal to sign such documents, relating to the job performance by the
5 applicant; and. Upon separation of employment, all documents from
6 any other file, including an investigative file, shall be moved into
7 the personnel file. The requirement to submit investigative files
8 to the personnel file shall not be construed to be a waiver of the at-
9 torney client privilege. Names of any student, fellow employee or
10 complainant, other than the employee's administrative supervisor or
11 administrative author shall be redacted from investigative file doc-
12 uments prior to placement in the personnel file. The former employee
13 shall be provided a copy of the documents and written notice of the
14 inclusion of the information in the personnel file to the former em-
15 ployee's last known address. The former employee shall be permitted the
16 opportunity to file a rebuttal to the new documents placed into the per-
17 sonnel file. If an ongoing personnel investigation was taking place,
18 the contents of the district's investigative file shall be forwarded
19 to the professional standards commission when the district submits the
20 report required pursuant to section 33-1208A, Idaho Code."

21 On page 6, delete lines 5 through 19, and insert:

22 "(7) School districts may employ applicants on a conditional basis
23 pending the district's review of information obtained under this section
24 noncontracted provisional basis pursuant to the provisions of this section.
25 Once the prior employer personnel performance materials have arrived for
26 an individual provisionally hired, the district must review the documents
27 within thirty (30) days of receipt. A standard certificated contract shall
28 automatically be issued at the end of the thirty (30) day review period
29 unless, prior to the expiration of the thirty (30) day period, the board
30 articulates in writing the specific information received pursuant to sub-
31 section (2) (a) of this section, which justifies the decision not to issue a
32 standard contract. The reason articulated in this decision must derive only
33 from the documents received in the personnel file and cannot be based upon
34 any event that has occurred during the status as a noncontracted provisional
35 certified professional employee. Prior to issuing a standard certificated
36 contract or prior to the decision not to issue a standard certificated con-
37 tract, or upon the expiration of the thirty (30) day period, an individual
38 employed as a noncontracted provisional certificated professional employee
39 shall be provided with the same compensation and benefits as if the employee
40 had been employed on a standard certificated contract. When requests are
41 sent to out-of-state employers under subsection"

CORRECTION TO TITLE

1
2 On page 1, delete lines 13 and 14, and insert: "PROVISIONS RELATING TO A
3 HIRING DISTRICT'S REQUEST, TO REMOVE LANGUAGE RELATING TO SCHOOL DISTRICTS'
4 EMPLOYMENT OF APPLICANTS ON A CONDITIONAL BASIS, TO PROVIDE THAT SCHOOL DIS-
5 TRICTS MAY EMPLOY APPLICANTS ON A NONCONTRACTED PROVISIONAL BASIS, TO PRO-
6 VIDE FOR".