

Criminal History / Background Checks

General

It is the policy of this District to perform criminal history checks as required by Idaho law and to perform other types of background checks on employees or volunteers including, but not limited to:

1. Contacting prior employers for references;
2. Contacting personal references; and/or
3. Contacting other persons who, in the discretion of the District, could provide valuable information to the District.

Any individual required to submit to a criminal history check and fingerprinting will be terminated from employment or consideration of employment immediately upon their refusal to consent to a criminal records check and fingerprinting; or notification by the State Superintendent of Public Instruction that the employee has made a false statement as to conviction of a crime or conviction of crimes prohibiting employment with the district as specified by law.

Substitute teachers

If a substitute teacher has undergone a criminal history check within three (3) years as a result of employment with another District, the District, may in its sole discretion, not require a substitute to undergo a criminal history check. If the District does desire substitute teacher who has undergone a criminal history check within the last three (3) years to undergo an additional criminal history check, the District will pay the costs of such check. New substitute teachers will pay for the criminal history check and be reimbursed by the district if they have completed substituting for five (5) days for the district within the initial school year.

Other employees

The District may require that employees in the employ of the District for greater than five (5) years be subjected to criminal history checks. If required, the District will pay the costs of such checks.

Volunteers

Any volunteer in the District who has regular unsupervised access to students, as determined by the Superintendent or the Superintendent's designee, shall submit to a fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration for volunteering in the schools of this District.

Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If a volunteer has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether the volunteer is suitable to be in the presence of the students in the District.

Legal Reference: I.C. § 33-130 Criminal history checks for school district employees or applicants for certificates
I.C. §33-512 Governance of schools
Public Law 105-251, Volunteers for Children Act

Policy History:

Adopted on: 03/25/2008
Revised on: 08/17/2010
Revised on: 10/28/2014