

STAFF PERSONNEL
Series 400

Policy Title: BACKGROUND CHECKS
FINGERPRINTING

Code: 401.14

The Board of Trustees of Lapwai School District #341 is committed to employing the best-qualified people for all positions within the district, whether certificated or non-certificated. In order to provide greater protection to the district and greater assurance to its students, parents, patrons and staff, the district, as a condition of employment, shall require that all certificated and non-certificated employees hired on or after July 1, 2008, and other individuals who are required by the provisions of Section 33-130, Idaho Code, to undergo a criminal history check shall submit a completed ten (10) finger fingerprint card or scan to the department of education no later than five (5) days following the first day of employment or unsupervised contact with students in a K-12 setting, whichever is sooner. Such employees and other individuals shall pay the cost of the criminal history check. If the criminal history check shows that the employee has been convicted of a felony crime enumerated in Section 33-1208, Idaho Code, it shall be grounds for immediate termination, dismissal or other personnel action of the district, except that it shall be the right of the school district to evaluate whether an individual convicted of one (1) of these crimes and having been incarcerated for that crime shall be hired. Provided however, that any individual convicted of any felony offense listed in Section 33-1208 2., Idaho Code, shall not be hired.

For the purposes of criminal history checks, a substitute teacher is any individual who temporarily replaces a certificated classroom educator and is paid a substitute teacher wage for one (1) day or more during a school year. A substitute teacher who has undergone a criminal history check at the request of one (1) district in which he has been employed as a substitute shall not be required to undergo an additional criminal history check at the request of any other district in which he is employed as a substitute if the teacher has obtained a criminal history check within the previous five (5) year.

The board is mindful of the concerns of employees or potential employees regarding their reasonable expectations of privacy and adopts this policy while balancing those reasonable expectations. The failure of a prospective employee to submit to the fingerprint/background check shall constitute sufficient grounds to reject the application of such applicant. The failure of any existing employee to comply with the requirements of this policy shall constitute sufficient grounds for termination, subject to such due process rights as are available to the effected employee. All persons or entities contracting with or volunteering for, or otherwise providing services, consultants or materials to the district may, at the request of the administration, be required to submit to a background check prior to providing services or materials.

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If the information received by the State Department of Education gives rise to concern by the Superintendent, the employee shall be notified and given reasonable opportunity to respond to the information, including the sharing of said information with the effected employee. Such opportunity shall be in an informal setting with the Superintendent and other administrative staff, as the Superintendent deems necessary.

Date of Adoption:
Amended: July 21, 2008
Readopted: July 2009

Legal References:
I.C. 33-130
I.C. 33-1208
I.C. 33-1208 2

Related References: