



## PERSONNEL

### Employment Background Information on Applicants, Volunteers, Student Teachers/Interns and Employees

The safety of students, employees and patrons is of the utmost importance to the Enumclaw School District. Because the district is committed to providing a safe environment, a comprehensive program to check the backgrounds of those who perform services in and for the district shall be administered. The superintendent, or his/her designee, shall be responsible for the administration of this program.

- A. The district's background check requirement shall apply to prospective employees, volunteers and student teachers/interns who will have or may have unsupervised access to children, persons with developmental disabilities or vulnerable adults. The disclosure shall be made in writing and signed by the applicant and sworn to under penalty of perjury. The disclosure sheet shall specify all crimes committed against persons.
- B. Types of Checks. The district utilizes the following types of checks:
  1. The written disclosure of specified criminal convictions and civil or disciplinary board findings.
  2. A criminal history records check, including fingerprint check by the Washington State Patrol (WSP) and through the Federal Bureau of Investigation (FBI).
- C. Prospective Employees and Student Teachers/Interns. Prospective employees and student teachers/interns who will have or may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults must successfully complete the background check described above as a condition of employment or placement.
  1. The district may, at its discretion, waive the WSP/FBI records check requirements for prospective employees who have successfully completed the check within the previous two years.
  2. The district may, at its discretion, offer employment to prospective employees on a conditional bases pending successful completion of the WSP/FBI records check. They may begin conditional employment once completed fingerprint cards have been sent to the Washington State Patrol. If the background check reveals evidence of convictions as identified above, the candidate will not be recommended, for employment, or if temporarily employed, will be terminated.
- D. Prospective Volunteers. A prospective volunteer is subject to the district's background check requirements if he/she will have unsupervised access to children, persons with developmental disabilities, or vulnerable adults during the course of his/her service or involvement with the district.

If the volunteer has undergone a criminal record check in the last two years for another entity, the district shall request a copy from the volunteer, or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district.

- E. Record Check Database Access Designee: The Superintendent/designee is directed to establish procedures for determining which staff members are authorized to access the Superintendent of Public Instruction's record check database. Fingerprint record information is highly confidential and shall not be disseminated to any organization or individual by district staff. Records of arrest and prosecution (RAP sheets) shall be stored in a secure location separate from personnel and applicant files and access to this information is limited to those authorized to access the SPI record check database.
- F. Certification Requirements: The district shall require that certificated staff hold a Washington State Certificate, with proper endorsement (if required for that certificate and unless eligible for out-of-endorsement assignment), for the role and responsibilities for which they are employed. Failure to meet this requirement shall be just cause for termination of employment. State law requires that the initial application for certification shall require a background check of the applicant through the Washington State Patrol criminal identification system and Federal Bureau of Investigation. No salary warrants may be issued to the staff member until the district has registered a valid certificate for the role to which he/she has been assigned.

In addition, any teacher who meets standard or continuing certification after August 30, 1987, must complete 150 hours of continuing education study every five years. Failure to satisfy this requirement will cause the certificate to lapse. If a certificated staff member with a lapsed certificate is issued a transitional certificate pursuant to WAC 181-79A.231 (7), he or she may be conditionally employed for up to two years while he or she meets the certificate reinstatement requirements.

Classified Staff: Classified staff, who are engaged to serve less than twelve (12) months, shall be advised of their employment status for the ensuing school year prior to the close of the school year. The Superintendent, or his/her designee, shall give "reasonable assurance" by written notice that the staff member will be employed during the next school year.

Board Approval: All staff members selected for employment shall be recommended by the Superintendent, or his/her designee. Staff members must receive an affirmative vote from a majority of all members of the Board. In the event an authorized position must be filled before the Board can take action, the Superintendent, or his/her designee, has the authority to fill the position on a temporary basis. The temporary employee shall receive the same salary and benefits as a permanent staff member. The Board will act on the Superintendent's, or his/her designee's recommendation to fill the vacancy at its next regular meeting.

Cross References:	Board Policy	1712	Conflicts of Interest
		5121	Certificate Revocation
		5255	Disciplinary Action and Discharge
		5345	Staff Development
		5410	Substitute Employment
		6530	Insurance

Legal References:	Chapter 21, Laws of 1999	Criminal record checks—School Employees and volunteers
	RCW 28A.400.300	Hiring and discharging employees-- Leaves for employees--Seniority and leave benefits, retention upon transfers between schools
	28A.400.303	Record checks for employees
	28A.350.050	Teacher must qualify before warrant drawn and issued or registered— All districts
	28A.405.01	Qualifications—Certificate or permit required
	28A.405.06	Course of study and regulations—enforcement --Withholding salary warrant for failure
	28A.405.210	Conditions and contracts of employment-- Determination of probable cause for non-renewal of contracts— Notice Opportunity for hearing
	28A.410.01	Certification—Background check
	9.96A.020	Employment, occupational licensing by public entity—Prior felony conviction no disqualification--Exceptions
	43.43.830-40	Washington State Criminal Code Records
	50.44.050	Benefits Payable, Terms and Conditions
	50.44.053	Definition of "reasonable "assurance"
	WAC 162-12	Preemployment Inquiry Guide (Human Rights Commission)
	180-16-220	Supplemental Program Requirements
	180-16-223	Temporary Out-of-Endorsement Assignment Criteria
	180-16-231	Assignment of Principals
	180-16-236	Assignment of Educational Staff Associates
	181-79A	Standards for Teacher, Administrator and Educational Staff Associate Certification
	180-82-100	Assignment of classroom teachers within districts
	180-82-110	Exceptions to classroom teacher assignment policy
	181-85	Continuing Education
	392-300-050	Access to record check database
	392-300-055	Prohibition of redissemination of fingerprint record information by education service districts or school districts
	392-300-060	Protection of fingerprint record information by educational service districts and school districts
	446-20-285	Employment--Conviction Records
	P.L. 99-603(IRCA)	Immigration Reform and Control
Management Resources:	PNA 9808.03	District must report new hires

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