

CRIMINAL HISTORY CHECKS

DATES (Adopted/Revised)	GUIDE WORDS
Adopted December, 2008	Certified Employees Classified Employees Student Teachers Volunteers Contracted Services

In alignment with the mission of the Pocatello/Chubbuck School District to provide a safe, supportive and orderly learning environment for all to learn and work, the District requires criminal history checks (CHC) for employees, volunteers and contracted service providers. Per Idaho Code 33-512 and 33-130, Districts require all persons hired for the first time to undergo a comprehensive criminal history check including, (1) Statewide Criminal Identification Bureau, (2) Federal Bureau of Investigation (FBI), (3) National Crime Information Center, and (4) statewide sex offender register.

Break in Service

When an employee has a break in service, however short, he/she must complete a new CHC. Substitute teachers are exempt from this requirement since they are on the statewide substitute teacher list for five (5) years. After five (5) years, a new CHC is required for substitute teachers.

Staff

Certified Employees

Any individual licensed as a teacher, administrator, personnel specialist or school nurse shall be required to undergo a nationwide criminal records check and fingerprinting upon licensure.

Non-certificated Employees

Any individual newly hired into a position having direct, unsupervised contact with students and not requiring licensure shall be required to undergo a nationwide criminal records check and fingerprinting.

"Unsupervised contact" with students, as defined by Idaho Administrative Rule is defined as, "an individual, who works directly with students on a continuing basis, provides contracted educational services, student teaching/internships or interacts with students in scheduled school activities that occur outside of the school and/or outside of normal hours."

Student Teachers

Any individual registering for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC. The college/university from which that individual is enrolled shall ensure all student teacher candidates undergo a CHC. The State Department of Education shall make a preliminary determination of eligibility. The decision will be forwarded to the college/university. Candidates who are not eligible may request a review from the Professional Standards Commission.

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Ultimately, the final decision as to whether or not an individual will be permitted to participate in the program at the school district will be left to the sole discretion of the District.

Contracted Services

Idaho Code 33-512(16), requires contractors and others who have irregular contact with students to be checked against the Sex Offender Registry. Routine maintenance contractors shall be checked against the sex offender registry by the School Plant Coordinator. For larger projects requiring bids, contractors shall be required to confirm in writing, per the bidding process, that they have screened their employees and subcontractors, against the sex offender registry.

The final decision as to whether or not a contractor or employee will be permitted to work on District property will be left to the sole discretion of the District, with consideration of student health, safety and welfare being the primary consideration.

Volunteer Services

District volunteers shall be governed by the conditions as set forth in Policy 7154.

Prior Convictions and Charges

If a criminal history check reveals that an employee has been convicted of a felony crime enumerated in section 33-1208, Idaho Code, it shall be grounds for immediate termination, dismissal or any other personnel action taken by the district. It shall be the right of the district to evaluate whether an individual convicted of one (1) of these crimes and having been incarcerated for that crime shall be hired. However, an individual convicted of any crime listed in subsection 2 of 33-1208, shall not be hired.

With regard to individuals convicted of crimes not specifically enumerated in Idaho Code 33-1208, it shall be within the District's sole discretion to determine whether or not such individual will be hired. The primary consideration in making this determination will be the health, safety and welfare of the District students.

Limited Time for Completion of CHC

All employees shall obtain a criminal history check within five (5) days of starting employment with the District.

Costs Associated with CHC

Fees charged for criminal history checks are set by local law enforcement agencies and the State Department of Education. The applicant is responsible for all fees associated with a CHC.