

POST FALLS SCHOOL DISTRICT NO. 273

Series 400: Certified Personnel, Employment

Policy No. 402.11

Policy Title: Background Checks/Registration

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Post Falls School District No. 273, as a condition of employment, shall require each employee to undergo a criminal history check. Employees shall obtain the history check within five (5) days of being hired. The employee shall pay the fee charged by the State Department of Education to process the initial fingerprint/ background check.

Fingerprinting costs shall be paid by the employee who may elect to have the cost deducted from his/her paycheck.

The refusal or failure of a prospective employee to submit to the criminal history check shall constitute sufficient grounds to reject his/her application.

The refusal or failure of an employee of the district to comply with the requirements of the law and district policy regarding criminal history checks shall constitute sufficient grounds for termination of employment, subject to such due process rights as are available to the affected employee.

While awaiting the results of a criminal history check employment shall be considered temporary and conditional subject to receipt of notice of a satisfactory background check as provided by law.

In the event the district receives notice that a criminal history check of an employee reveals 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.

If an applicant or employee makes any misrepresentation or willful omissions of fact regarding prior criminal history, such misrepresentation or omission shall be sufficient cause for disqualification of the applicant or termination of employment.

The information obtained by the district from the criminal history check conducted through the State Department of Education shall be placed in the subject employee's personnel file and shall remain confidential in the manner and to the extent provided by law.

Contractors:

Any person or entity (and its employees, agents or representatives) contracting with or otherwise providing services, consultations or materials to the district will be required, at the request of the administration, to register with the school when there is direct personal or frequent contact with district students, personnel or property. Individuals registering with the school will be cross-checked with the sex offender register.

Volunteers:

Volunteers who will likely come into direct personal or frequent contact with students will be required to register with the school. Any volunteer who has regular unsupervised access to students, as determined by the superintendent or 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.

Legal References: Pub. L. 105-251 Volunteers for Children Act
 I.C. §33-130 Criminal History Checks for School District
 Employees or Applicants for Certificates
 I.C. § 33-512 Governance of Schools
 I.C. § 33-1208 Revocation, Suspension, Denial, or Place
 Reasonable Conditions on Certificate

Applicable Procedural Regulations: 402.11a
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