



**1. PURPOSE**

1.1. It is the policy of the Board of Siembra Leadership High School to maintain a safe environment for the children of the school. Individuals seeking employment at SLHS must demonstrate a background free of criminal activity. The SLHS office will keep up-to-date records of all employees by maintaining personnel files on all employees.

**2. SCOPE**

2.1. This policy applies to all employees and applicants for positions of employment at Siembra Leadership High School.

**3. REFERENCES/RELATED policies**

3.1.1. NMSA 1978, §22-10A School Personnel Act

3.1.2. NMSA 1978, §61-5A-27 Criminal Offender Employment Act

**4. RESPONSIBILITIES**

4.1. It is the responsibility of the SLHS office to maintain personnel records.

4.2. It is the responsibility of SLHS employees to provide clear background checks.

**5. DEFINITIONS**

5.1.1. None

**6. POLICY**

6.1. Personnel Background Checks

6.1.1. Pursuant to the New Mexico School Personnel Act NMSA, 1978, § 22-10A-5 Siembra Leadership High School may conduct work-history, education-history and or reference investigations on each candidate recommended for hire including, but not limited to, permanent full-time and part-time employees, substitutes, and temporaries. Each candidate will be subject to a criminal background investigation, including mandatory fingerprinting, at the candidate's expense, as a condition of further consideration for employment.



- 6.1.2. Any offer of employment is contingent upon the satisfactory completion of all background investigations. Conviction of a crime shall not automatically bar an applicant from obtaining employment with New Mexico International School, but pursuant to NMSA 1978, § 61-5A-27 “Criminal Offender Employment Act”, may be the basis for refusing employment.
- 6.1.3. Criminal background checks, as described in 6.1.1, shall also be conducted upon each contractor who uses SLHS space per an SLHS Site Use Agreement or contractor's employee when students are present, at the expense of the contractor or contractor's employee, if the contractor or contractor's employee has unsupervised access to students. In such cases, contracts shall be subject to the satisfactory completion of background checks.
- 6.1.5. Prior to an employee reporting to work, a background check must be completed at their own expense using the Cogent or other SLHS approved system, results must be received by the school, and any exceptions must be approved by the Head Administrator.
- 6.1.6. School office staff shall investigate any subsequent criminal findings reported by Cogent or other SLHS approved system.
- 6.1.7. If SLHS accepts an FBI background check conducted within the last calendar year from another agency, the employee must conduct a background check using Cogent or other SLHS approved system at their own expense within two calendar years of the date of this background check.

## 6.2 Employee Personnel Files

- 6.2.1. The employee's official file shall be maintained in the school's office. Material that may adversely affect an employee's employment status may not be placed in the official file until the individual has had the opportunity to read the material and to sign and date the actual copy to be filed. The employee shall receive a copy of said material, at no cost to the employee, at the time of filing. The employee shall have the right, within ten (10) working days, to affix a written response to said material. Documentation must be made a part of the official file in order for it to be used in an action that adversely affects an individual's employment status.
- 6.2.2. An employee may review the contents of his/her official file during normal business hours, but only during the employee's duty free time. The employee is entitled to receive a copy of any documents contained therein with the employee paying the cost of reproduction.



<b>BACKGROUND CHECKS AND PERSONNEL FILES POLICY</b>	Effective: 10/27/16	Page 3 of 3
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<b>Forms</b>
Form Number
n/a

<b>Other Attachments</b>	
Type	Title of Attachment
n/a	

**8. REVISION HISTORY**

Version Number	Effective Date	Description of Document Revision

**STATEMENT OF ACCEPTANCE**

This document was approved by the Board of the Siembra Leadership High School on October 26, 2016. The effective date of this Policy is October 27, 2016. This Policy is effective and enforceable immediately.

Any future additions, deletions, or amendments of this Policy are to be recorded on the REVISION HISTORY of this policy. These revisions will state the date of revision, section revised, and authorization of the revision. A copy of the complete revision will become a permanent part of this Policy.