

# PARK CITY SCHOOL DISTRICT MANDATORY PRE-EMPLOYMENT CHECK

(Required by Utah Code Section 53G-11-410)

For all new Park City School District employees, we request that the prospective new employee's most recent qualifying position employer disclose information regarding any employment action taken or discipline imposed for the physical or sexual abuse of a child or student.

The following question must be asked and the answer recorded in the space provided before hiring a potential employee. You must make at least 3 attempts to contact the potential employee's most recent qualifying position employer. Information can only be obtained from an administrator or Human Resources representative. University supervisors and cooperating teachers may be used for new graduates. (NOTE: the most recent qualifying position employer may not be the current or most recent employer. See definitions below.)

**HAS THERE BEEN ANY EMPLOYMENT ACTION TAKEN OR DISCIPLINE IMPOSED FOR THE PHYSICAL ABUSE AND/OR SEXUAL ABUSE OF A CHILD OR STUDENT?**    YES                       NO                       NO RESPONSE

Employer: \_\_\_\_\_ Phone number: \_\_\_\_\_

Dates Contacted: 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Name of Administrator or HR Representative/Title: \_\_\_\_\_

NOTES: \_\_\_\_\_

PCSD Employee Completing this Form: \_\_\_\_\_ Date: \_\_\_\_\_

Utah Code 53G-11-410 provides the following definitions:

"Child" means an individual who is younger than 18 years old.

"Physical Abuse" means the same as that term is defined in Section 80-1-102.

Section 80-1-102 in turn defines physical abuse as abuse that results in physical injury to a child.

"Qualifying position" means paid employment that requires the employee to directly care for, supervise, control, or have custody of a child.

"Sexual abuse" means the same as that term is defined in Section 80-1-102.

Section 80-1-102 in turn defines sexual abuse as:

- (a) An act or attempted act of sexual intercourse, sodomy, incest, or molestation towards a child.
- (b) [omitted as not applicable]
- (c) Engaging in any conduct with a child that would constitute an offense regardless of whether the person who engages in the conduct is actually charged with, or convicted of, the offense:
  - (i) Title 76, Chapter 5, Part 4, Sexual Offenses;
  - (ii) Child bigamy, Section 76-7-101.5;
  - (iii) Incest, Section 76-7-102;
  - (iv) Lewdness, Section 76-9-702;
  - (v) Sexual battery, Section 76-9-702.1;
  - (vi) Lewdness involving a child, Section 76-9-702.5; or
  - (vii) Voyeurism, Section 76-9-702.7.

"Student" means an individual who:

- (i) is enrolled in an LEA in any grade from preschool through grade 12; or
- (ii) receives special education services from an LEA under the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.