

PERSONNEL

Employment of Staff

The board has the legal responsibility of employing all staff. The responsibility of administering the recruitment and staffing process is assigned to the superintendent. Prior to formal employment by the board, a prospective staff member shall present necessary documents which establish eligibility to work and attest to his/her eligibility. The superintendent shall certify that he/she has "examined the documents which were presented to me {by the new hire}, that the documents appear to be genuine, that they appear to relate to the individual names, and that the individual is a U.S. citizen, a legal permanent resident, or a nonimmigrant alien with authorization to work."

Prior to employment of any unsupervised staff member or volunteer, the district shall require the applicant to disclose whether he/she has been:

1. Convicted of any crime against persons;
2. Found in any dependency action under RCW 13.34.030(2)(b) to have sexually assaulted or exploited any minor or to have physically abused any minor;
3. Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor; or
4. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor.

For purposes of this policy, unsupervised means not in the presence of another employee or volunteer and working with children under sixteen years of age or any developmentally disabled persons.

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.

The prospective unsupervised staff member or volunteer shall also be advised that he/she will be subjected to a background check with the Washington State Patrol. All successful applicants will be required to undergo a fingerprint check through the State and the Federal Bureau of Investigation. The superintendent is directed to establish procedures for determining which staff members are authorized to access the Superintendent of Public Instruction's record check data base. 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 data base.

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Employment of Staff (continued)

Such an applicant may be employed on a conditional basis pending the outcome of the background check. If the background check reveals evidence of convictions as identified above, the candidate will not be recommended, or if temporarily employed, will be terminated immediately.

All staff members selected for employment shall be recommended by the superintendent. 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 has the authority to fill the position with a temporary employee. The board will act on the superintendent's recommendation to fill the vacancy at its next regular board meeting.

Classified staff, who are engaged to serve less than twelve months, shall be advised of their employment status for the ensuing school year prior to the close of the school year. The superintendent shall give "reasonable assurance" by written notice that the staff member will be employed during the next school year.

Cross reference:	Policy	1712 5213 5255 5410 8331	Conflicts of Interest Part-time Staff Disciplinary Action and Discharge Substitute Employment Unemployment Insurance
Legal reference:	RCW	26 13.34.030 28A.400.300 28A.405.210 28A.400.303 43.34.830-40 50.44.050 50.44.053	Domestic Relations Definitions--"child," "juvenile," "dependent child" Hiring and discharging employees--Leaves for employees-- Seniority and leave benefits, retention upon transfers between schools Conditions and contracts of employment--Determination of probable cause for non-renewal of contracts--Notice-- Opportunity for hearing Record checks for employees Washington State Criminal Code Records Benefits payable, Terms and Conditions Definition of "reasonable assurance"
	WAC	162-12 392-300-050 392-300-055 392-300-060	Preemployment Inquiry Guide (Human Rights Commission) Access to record check data base Prohibition of redissemination of fingerprint record information by education service districts or school districts Protection of fingerprint record information by educational service districts and school districts
		446-20-285 P.L. 99-603 (IRCA)	Employment--Conviction Records Immigration Reform and Control Act of 1986