

Criminal History/Background Checks

General

It is the policy of the District not to employ or to continue the employment of classified, professional or administrative personnel who may be deemed unsuited for service by reason of arrest and/or criminal conviction. While an arrest or conviction of a crime, in and of itself, may not be an automatic bar to employment, if an arrest or conviction relates to suitability of the individual to perform duties in a particular position, such person may be denied employment or, in the case of current employees, may face disciplinary action up to and including termination.

The Board is mindful of the concerns of employees regarding their reasonable privacy expectations and adopts this policy while balancing those reasonable expectations of privacy. The failure of an existing or prospective employee to comply with the requirements of this policy shall constitute sufficient grounds for non-hire or termination, subject to such due process rights as are available to the effected employee.

It is the policy of this District to perform criminal history checks as required by Idaho law and to perform other types of background checks on employees or volunteers including, but not limited to:

1. Contacting prior employers for references;
2. Contacting personal references; and/or
3. Contacting other persons who, in the discretion of the District, could provide valuable information to the District.

Where a prior conviction is discovered, the District will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which application is sought, or the person is employed. Any individual convicted of a felony offense listed in I.C. § 33-1208(2) shall not be hired.

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.

Any certificated employee who was hired prior to July 1, 2020 and has their teaching certificate revoked by the Professional Standards Commission due to updated crimes listed in I.C. § 33-1208 shall be granted an informal review based on their contract category, as outlined in Policy 5105.

I.C. §9-340(C)	Records Exempt from Disclosure
I.C. § 33-130	Criminal History Checks for School District Employees or Applicants for Certificates
I.C. §33-506	Organization and Government of Board of Trustees
I.C. §33-512	Governance of Schools
I.C. §33-1202	Eligibility for Certificate
I.C. §33-1204	Validity, Duration, Renewal, and Lapse of Certificates
	Public Law 105-251, Volunteers for Children Act

Policy History:

Adopted on: 11/2/15

Revised on: 9/14/20