

EMPLOYEES

All persons, certificated and non-certificated, hired for the first time by this district, or who have been employed by this district for five years or less, shall undergo a criminal history check as required by Idaho Code Section 33-130.

All new employees will obtain the history check through the Idaho State Department of Education within three months of starting employment. All individuals employed for five years or less will undergo a history check within three months of notification. The employee will be responsible for the cost of the criminal history check which will include the following:

1. Statewide criminal identification bureau;
2. Federal Bureau of Investigation (FBI) criminal history check;
3. National crime information center; and
4. Statewide sex offender register.

A substitute teacher employed by this district will not be required to undergo additional criminal history checks if he or she has obtained a criminal history check within the previous three (3) years. If this district elects to require another criminal history check within the three (3) year period, it will pay the cost or reimburse the teacher for such cost.

A record of all background checks will be maintained by the Idaho State Department of Education in a data bank for all employees of this district, with a copy going to the employee. The Department will share the results of each employee's background check with the district.

For the purposes of this policy, "employee" is defined as those individuals hired by this district and paid a salary or wages from which federal and state income taxes are withheld.

If an employee has been convicted of a felony crime set forth below, such conviction will be grounds for immediate termination, dismissal, or other personnel action by this district. This district will have the right to evaluate and determine whether an individual convicted of one of the crimes listed below, and having been incarcerated for that crime, will be hired.

The felony crimes include, but are not limited to:

1. The aggravated assault of a child, or the assault with intent to commit a serious felony against a child;
2. The aggravated battery of a child, or the battery with intent to commit a serious felony against a child;

3. The injury or death of a child;
4. The sexual abuse of a child under sixteen (16) years of age;
5. The ritualized abuse of a child under eighteen (18) years of age;
6. The sexual exploitation of a child;
7. Possession of photographic representations of sexual conduct involving a child;
8. Lewd conduct with a child under the age of sixteen (16);
9. Sexual battery of a minor child sixteen (16) or seventeen (17) years of age;
10. The sale or barter of a child for adoption or other purposes;
11. The murder of a child, or the voluntary manslaughter of a child;
12. The kidnapping of a child;
13. The importation or exportation of a juvenile for immoral purposes;
14. The abduction of a person under eighteen (18) years of age for prostitution;
15. The rape of a child.

VOLUNTEERS AND CONTRACTORS

The names of all individuals who are volunteers (*such as student teachers, interns, parent volunteers, etc.*), or contractors (*such as bus drivers, service providers, referees, etc.*) and who may have direct contact with students, will be placed on a register maintained by this district at the administration office. *In addition, if determined necessary by the superintendent or designee to ensure a safe environment for all students, any such volunteer or contractor may be required to undergo a criminal history check.*

Cost will be the responsibility of the contractor or volunteer.



LEGAL REFERENCE:

Idaho Code Sections

33-130	33-1204	18-907
33-512(15)	33-1208	18-909
33-1202	18-905	18-911

18-1501	18-1508	18-4502
18-1506	18-1508A	18-5610
18-1506A	18-1511	18-6101
18-1507	18-4003	18-6108
18-1507A	18-4006(1)	

ADOPTED: August 10, 2005

AMENDED:

**Language in text set forth in italics is optional.*