

Criminal History/Background Checks

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.

In order to protect the health, safety and welfare of students in the Lake Pend Oreille School District, Idaho law requires the following individuals to submit to criminal history checks:

1. Certified and classified employees hired on or after July 1, 2008;
2. Substitute staff;
3. Individuals involved in other types of student training such as practicums and internships; and
4. All individuals who have unsupervised contact with students.

A criminal history check shall be based on a complete ten (10) finger fingerprint card or scan and include the following:

1. Idaho bureau of criminal identification;
2. Federal Bureau of Investigation (FBI) criminal history check;
3. Statewide sex offender register.

The fee for the criminal history check will be paid by the District. All criminal history check records will be kept on file at the State Department of Education.

Initial Hires

Before an applicant may begin employment, a completed fingerprint card must be sent to the State Department of Education.

It is the discretion of the District to terminate, dismiss or take other action against any employee that has either been convicted of one (1) or more felony offenses set forth in Idaho Code 33-1208 or made a material misrepresentation or omission on their job application. Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

Substitute Teachers

The State Department of Education shall maintain a statewide list of substitute teachers. To remain on the statewide substitute teacher list, the substitute teacher shall undergo a criminal history check every five (5) years.

Volunteers

Any volunteer in the District, who has regular unsupervised access to students, as determined by the Superintendent or the Superintendent's designee, shall submit to a fingerprint criminal background investigation prior to consideration for volunteering in the schools of this District.

Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If a volunteer has any prior record of arrest or conviction by a local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent, who shall decide whether the volunteer is suitable to be in the presence of the students in the District.

Cross Reference: Policy 5100 Hiring Process and Criteria

Legal Reference: I.C. §33-130 Criminal history checks for school district employees or applicants for certificates
I.C. §33-512 Governance of Schools
I.C. §33-1208 Revocation, suspension, denial or place reasonable conditions on certificate
Public Law 105-251, Volunteers for Children Act

Policy History:

Adopted on: May 13, 1997
Revised on: January 13, 2015
February 23, 2016