

GRANITE FALLS SCHOOL DISTRICT

PERSONNEL

POLICY 4015: EMPLOYMENT OF STAFF

The board has the legal responsibility of employing all staff. The responsibility of administering the recruitment process is assigned to the superintendent. Prior to formal employment by the board, a prospective staff member shall present necessary documents that 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 or designee [by the new hire], that the documents appear to be genuine, that they appear to relate to the individual named, and that the individual is a U.S. citizen, a legal permanent resident, or a nonimmigrant alien with authorization to work."

This certification shall be made on the I-9 form issued by the federal Immigration and Naturalization Service.

The District shall report all new hires to the state Department of Social Health Services Division of Child Support as required by P.L. 104-193, the Personal Representative and Work Opportunity Reconciliation Act of 1996.

The District shall require that every prospective staff member sign a release form allowing the District to contact school employers regarding prior acts of sexual misconduct.

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

- A. Convicted of any crime against persons;
- B. Found in any dependency action under RCW 13.34 to have sexually assaulted or exploited any minor or to have physically abused any minor;
- C. 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
- D. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor; or
- E. Convicted of a crime related to drugs: manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance.

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 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.

Prospective unsupervised staff members shall have their records checked through the Washington state patrol criminal identification system and through the Federal Bureau of Investigation. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. The superintendent is directed to establish procedures for determining which staff members are authorized to access the Superintendent of Public Instruction's record check database. 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 check database.

Unsupervised volunteers and employees without unsupervised access to children shall also be advised that they will be subjected to a name and birth date background check with the Washington State Patrol. Applicants may be employed on a conditional basis pending the outcome of the background check and may begin conditional employment once completed fingerprint cards have been sent to the Washington State Patrol. Picture

identification is required when submitting background checks. If the background check reveals evidence of convictions, 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 who shall receive the same salary and benefits as a permanent staff member. The board will act on the superintendent's recommendation to fill the vacancy at its next regular meeting.

Classified staff, which is engaged to serve less than twelve (12) 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.

Legal References:

RCW 28A.320.155 Criminal history record – school volunteers

RCW 28A.400.300 Hiring and discharging employees--

RCW 28A.400.303 Record checks for employees

RCW 28A.405.210 Conditions and contracts of employment--

RCW 28A.410.010 Certification –

RCW 9.96A.020 Employment, occupational licensing by public entity – prior felony

RCW 43.43.830-40 Washington State Criminal Code Records

RCW 50.44.050 Benefits Payable, Terms and Conditions

RCW 50.44.053 Definition of "reasonable assurance"

WAC 162-12 Preemployment Inquiry Guide (Human Rights Commission)

WAC 180-16-220 Supplemental basic education

181-79A Standards for Teacher, Administrator and Education Staff

181-82-105 Assignment of classroom teachers within district

181-82-110 Exceptions to classroom teacher assignment policy

181-85 Professional certification – continuing educational requirement

WAC 392-300-050 Access to record check data base

WAC 392-300-055 Prohibition of redissemination of fingerprint record information by education service districts or school districts

WAC 392-300-060 Protection of fingerprint record information by educational service districts

WAC 446-20-280 Employment--Conviction Records

P.L. 99-603(IRCA) Immigration Reform and Control Act of 1986

P.L. 104-193 Personal Responsibility with Work Opportunity

ADOPTED: MARCH 19, 1992

AMENDED: APRIL 27, 2000

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