

Disclosure of Crime: 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 13.34.030(2)(b) to have sexually assaulted or exploited any minor or to have physically abused any minor; or
- 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;
- 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 the purpose 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.

Background Check: 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.

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. If a volunteer has undergone a criminal record check in the last two years for another entity, the district shall request a copy from the volunteer or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district. The entity from whom the record check is obtained is immune from criminal or civil liability for the dissemination of the information. In this instance, the district will also require that the volunteer sign a disclosure statement assuring the district that the volunteer has not been convicted of a covered crime since the completion of the criminal record check.

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. If the background check reveals evidence of convictions as identified above, the candidate will not be recommended for employment, or if temporarily employed, will be terminated. When such a background check is received, the superintendent is directed to consult with legal counsel.

District contractors must certify in writing that the contractor will prohibit any employee of the contractor from working at a public school who has contact with children at a public school during the course of his or her employment and who has pled guilty to or been convicted of any felony crime involving the physical neglect of a child under chapter 9A.42 RCW, the physical injury or death of a child under chapter 9A.32 or 9A.36 RCW (except motor vehicle violations under chapter 46.61 RCW), sexual exploitation of a child under chapter 9.68A RCW, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor under chapter 9A.88 RCW, the sale or purchase of a minor child under RCW 9A.64.030, or violation of similar laws of another jurisdiction. The contract shall contain a provision that any failure to comply with this section shall be grounds for the school district immediately terminating the contract. (RCW 28A.400.330)

Individuals contracting directly with the district to perform personal services that will include regularly scheduled unsupervised access to children shall be treated as employees for background check purposes.

Record Check Data Base Access Designee: All such records shall be treated as confidential and only the Director over personnel and the Personnel Program Assistant shall be authorized to access the Superintendent of Public Instruction's record check data base and district record check data including records of arrest and prosecution (RAP sheets). RAP sheets shall be secured by the district in storage separate from personnel and applicant records. Further use of the record following initial employment or redissemination of the records to another organization or individual is expressly prohibited. Lawful use of such information does not constitute liability for defamation, invasion of privacy, or negligence, but noncompliance with this policy, relevant rules and statutes may allow for the recovery of civil damages under applicable federal and state statutes.

Disclosure of Employee Information: Employment information disclosed by the district at the request of an employee or employment agency regarding an employee's ability to perform the job, diligence, skill, reliability or illegal or wrongful acts are presumed to be disclosed in good faith. The district shall keep a record of requests for employee information for a period of two (2) years. A copy of the record will be maintained in the employee's file.

Fee Payment: The district shall pay the fee payable to WSP for WSP/FBI records check. Prospective employees shall pay a fee, if applicable, to the law enforcement agency doing the fingerprinting. (See Appendix A - Riverview Fingerprinting Procedures)

Certification Requirements: The district shall require that certificated staff hold a Washington State Certificate, with proper endorsement (if required for that certificate and unless eligible for out-of-endorsement assignment or the district has obtained the appropriate State Board of Education waiver), for the role and responsibilities for which they are employed.

Failure to meet this requirement shall be just cause for termination of employment. State law requires that the initial application for certification shall require a background check of the applicant through the Washington State Patrol criminal identification system and Federal Bureau of Investigation. No salary warrants may be issued to the staff member until the district has registered a valid certificate for the role to which he/she has been assigned.

In addition, any teacher who meets standard or continuing certification after August 30, 1987, must complete 150 hours of continuing education study every five years. Failure to satisfy this requirement will cause the certificate to lapse. If a certificated staff member with a lapsed certificate is issued a transitional certificate pursuant to WAC 180-79A.231(7), he or she may be conditionally employed for up to two years while he or she meets the certificate reinstatement requirements.

Classified Staff: Classified staff who are 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.

Procedure for Background Check/Fingerprinting

1. Fingerprinting can be done by personnel at the Riverview School District Office. Riverview School District will also work with the Duvall Police Department to do fingerprinting. Duvall Police Department will not be charging the district at this time for their services.
2. Each new permanent employee with regularly scheduled, unsupervised access to children shall undergo a WSP/FBI background check within 10 days of their employment.
 - a. Riverview School District will pay the \$55 fee to WSP. Employees shall be responsible for the fingerprinting charge, if applicable.
 - b. Proof of fingerprinting will be kept on file.
3. Classified substitutes shall undergo a WSP/FBI background check at their own expense.
 - a. Classified substitutes will provide proof of fingerprinting before they will be assigned to work.
 - b. The district will reimburse substitutes the \$55 fee after completion of 72 hours of substitute work and completion of the reimbursement form.

4. Certificated substitutes new to Riverview School District shall undergo a WSP/FBI background check at their own expense or provide results of previous criminal history report.
 - a. Certificated substitutes will provide proof of fingerprinting before their first assignment.
 - b. The district will reimburse substitutes the \$55 fee after completion of 10 full days of substituting in RSD and completion of reimbursement form.
5. Coaches, with regularly scheduled unsupervised access to children, shall undergo a WSP/FBI background check.
 - a. The district will pay the \$55 fee to WSP. Coaches will be responsible for the fingerprinting charge, if applicable.
 - b. Proof of fingerprinting will be kept on file.

Adopted: April 9, 2002
Revised: December 13, 2005