



Administrative Regulation 4121 STAFF AND VOLUNTEER BACKGROUND CHECKS / FINGERPRINTING

Responsible Office: Office of Human Resources

PURPOSE

This administrative regulation establishes the mandates and protocols related to criminal and civil background checks and fingerprinting of staff in the Washoe County School District ("District" or "WCSD").

REGULATION

1. In accordance with state law and as a condition of employment, all new and current District employees and certain volunteers shall be subject to a criminal and civil background check with fingerprinting, as described in this administrative regulation.
2. Background Check Defined
 - a. A criminal and civil background check requires the person's name, date of birth, gender, and race. For identification purposes, the last four digits of the Social Security number or other identifying information obtained from an approved government identification will also be requested.
 - b. A criminal and civil background check:
 - i. Shall include a check against local, state, and national databases for arrest warrants; and,
 - ii. May include a check against active restraining orders, individuals currently on probation or parole, the state and national sex offender registries, and the FBI terrorist list.
 - c. Additionally, the application process may include requests for and review of applicable court documentation, employment references from prior employers, and/or other related materials in order to substantiate information provided by applicant.
3. Employee and Volunteer Categories
 - a. Licensed Administrators shall:
 - i. Be fingerprinted by the Nevada Department of Education, or other appropriate state agency, in conjunction with licensing requirements; and,

- ii. Submit to a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter.
- b. Certified/Licensed Employees shall:
 - i. Be fingerprinted by the Nevada Department of Education, or other appropriate state agency, in conjunction with licensing requirements; and,
 - ii. Submit to a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter.
- c. Non-Licensed Members of the Superintendent's Leadership Team shall:
 - i. Submit to fingerprinting with a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter; and
 - ii. Incur a \$55 pay deduction upon the initial and for each subsequent fingerprint/background check.
- d. Professional-Technical Administrators shall:
 - i. Submit to fingerprinting with a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter; and
 - ii. Incur a \$55 pay deduction upon the initial and for each subsequent fingerprint/background check.
- e. Education Support Professionals (formerly known as "classified" employees) shall:
 - i. Submit to fingerprinting with a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter; and
 - ii. Incur five (5) consecutive \$11 pay deductions upon the initial and for each subsequent fingerprint/background check.
- f. School Police Officers shall:
 - i. Submit to fingerprinting with a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter.

- g. Certified Hourly Employees shall:
 - i. Submit to fingerprinting with a background check performed by the District before beginning employment and at least every one (1) year from the date of the previous fingerprint/background check;
 - ii. Not receive a District-issued ID card; and
 - iii. Incur a \$55 pay deduction upon the initial and for each subsequent fingerprint/background check.
- h. Certified On-Call Employees shall:
 - i. Submit to fingerprinting with a background check performed by the District before beginning employment and at least every one (1) year from the date of the previous fingerprint/background check;
 - ii. Not receive a District-issued ID card; and
 - iii. Incur a \$55 pay deduction upon the initial and for each subsequent fingerprint/background check.
- i. Licensed Substitute Teachers shall:
 - i. Be fingerprinted by the Nevada Department of Education, or other appropriate state agency, in conjunction with licensing requirements;
 - ii. Submit to a background check performed by the District and receive a District-issued staff ID card before beginning employment and at least every five (5) years thereafter; and
 - iii. Receive a school-issued ID card/badge, not a District-issued ID card.
- j. Substitute Employees shall:
 - i. Submit to fingerprinting with a background check performed by the District before beginning employment and at least every five (5) years thereafter;
 - ii. Receive a school-issued ID card/badge, not a District-issued ID card; and
 - iii. Incur a \$55 pay deduction upon the initial and for each subsequent fingerprint/background check.

- k. Student Teachers shall:
 - i. Submit to fingerprinting with a background check performed by the District before beginning the student teaching assignment and at least every five (5) years thereafter, as applicable;
 - ii. Receive a school-issued ID card/badge, not a District-issued ID card; and
 - iii. Pay \$55 upon the initial and for each subsequent fingerprint/background check. Payment shall be collected at the time of fingerprinting.
- l. Hourly Educational Support Professional On-Call Employees shall:
 - i. Submit to fingerprinting with a background check performed by the District before beginning employment and at least every one (1) year from the date of the previous fingerprint/background check;
 - ii. Not receive a District-issued ID card; and
 - iii. Incur five (5) consecutive \$11 pay deductions upon the initial and for each subsequent fingerprint/background check.
- m. Coaches, paid for coaching but who are not otherwise employed by the District, and volunteer coaches shall:
 - i. Submit to fingerprinting with a background check performed by the District and receive a District-issued staff ID card before working with students and at least every one (1) year from the date of the previous fingerprint/background check; and
 - ii. Pay \$45 upon the initial and for each subsequent fingerprint/background check. Payment shall be collected at the time of fingerprinting.
- n. Independent Contractors, if working directly with students, shall:
 - i. Submit to fingerprinting with a background check performed by the District before working with students and at least every one (1) year from the date of the previous fingerprint/background check; and
 - ii. Pay \$45 upon the initial and for each subsequent fingerprint/background check. Payment shall be collected at the time of fingerprinting.

iii. Independent Contractors serving as Occupational or Physical Therapists for students shall receive a District-issued staff ID card.

o. Volunteers

i. See Administrative Manual 1535, Volunteers Procedures Manual, for additional information specific to volunteers.

ii. Volunteer – Regular

1. A regular volunteer is defined as an individual who volunteers at least four (4) times per month or once each week. He/she shall:

- a. Submit to fingerprinting with a background check performed by the District before beginning the volunteer opportunity and at least every five (5) years thereafter;
- b. Not receive a District-issued ID card; and
- c. Pay \$45 upon the initial and for each subsequent fingerprint check. Payment shall be collected at the time of fingerprinting.

iii. Volunteer – Other (Non-Regular)

1. A non-regular volunteer shall:

- a. Submit to a background check performed by the District before beginning the volunteer opportunity and at least every one (1) year thereafter;
- b. Not submit to fingerprinting unless the volunteer opportunity changes to one defined in this regulation as requiring fingerprinting; and
- c. Not receive a District-issued ID card.

iv. Chaperones

1. Chaperones for student overnight trips and day field/activity trips that go out-of-state shall:

- a. Submit to fingerprinting with a background check performed by the District beginning the volunteer opportunity and at least every one (1) year thereafter, as applicable;

- b. Not receive a District-issued ID card; and
 - c. Pay \$45 upon the initial and for each subsequent fingerprint/background check. Payment shall be collected at the time of fingerprinting.
 2. Chaperones for field/activity trips which occur during the school day and remain inside the state of Nevada shall:
 - a. Submit to a background check performed by the District beginning the volunteer opportunity and at least every one (1) year thereafter, as applicable;
 - b. Not submit to fingerprinting unless the volunteer opportunity changes to one defined in this regulation as requiring fingerprinting; and
 - c. Not receive a District-issued ID card.
 - d. Note: there is no charge for a background check only.
- v. Practicum Students shall:
 1. Submit to fingerprinting with a background check performed by the District beginning the practicum assignment and at least every one (1) year thereafter, as applicable;
 2. Not receive a District-issued ID card; and
 3. Pay \$45 upon the initial and for each subsequent fingerprint/background check. Payment shall be collected at the time of fingerprinting.
- vi. Interns – Paid and Unpaid – shall:
 1. Submit to fingerprinting with a background check performed by the District before beginning employment and at least every five (5) years thereafter;
 2. Not receive a District-issued ID card; and
 3. Pay \$45 upon the initial and for each subsequent fingerprint/background check. Payment shall be collected at the time of fingerprinting.

4. General

- a. The cost of the background check/fingerprinting shall not be waived. Monies accrued by the District shall be used to cover the costs of the background check/fingerprinting.
 - b. Staff ID Cards. District employees shall obtain a District-issued photo identification (ID) card at the time of fingerprinting and/or background check. See Administrative Regulation 4128 for additional information.
 - c. Fingerprinting, background checks, and staff ID cards will be processed by the WCSD School Police Department. To make an appointment to have fingerprinting completed, visit the WCSD School Police webpage at <https://www.washoeschools.net/Page/11574>.
 - i. Fingerprints and/or background checks obtained from outside entities (i.e. military clearance, sheriff's card) are not accepted by the District.
 - d. Current employees will be notified by the Office of Human Resources when they are due to have the background check, fingerprinting, and staff ID card renewal completed.
 - e. Completion of the required background check, fingerprinting, and obtaining a District-issued staff ID card is a condition of employment. Failure to comply may result in the withdrawal of an employment offer or disciplinary consequences up to and including termination of employment.
5. Child Abuse or Neglect Reports. The District may consider a substantiated report of abuse or neglect of a child, to include sexual misconduct, luring of a child, or use of corporal punishment:
- a. in making determinations concerning employee assignments, retraining requirements, discipline, hiring or termination; or
 - b. In any proceedings to which the report is relevant, including, but not limited to, an action for trespass or a restraining order.

6. Clearance Process

- a. A prospective or current employee, and his/her principal/supervisor, shall be notified by the School Police Department when the clearance is complete. Should a background check indicate a finding, the individual shall be notified by the Labor Relations Department.
- b. An applicant or current employee may be barred from employment when a criminal record exists that includes one or more of the following:

- i. The applicant or employee is a convicted felon;
 - ii. The applicant or employee is on probation for any offense (including a deferred adjudication probation) that would otherwise restrict employment;
 - iii. The applicant or employee has been convicted of a misdemeanor involving moral turpitude, or is charged with a felony or misdemeanor involving moral turpitude, until there is a final disposition of the charge. Moral turpitude refers to conduct that is considered contrary to community standards of justice, honesty, or good morals.
 - c. Employment applicants and current employees whose background check results in a potential finding may appeal the findings and associated employment restrictions through a process of review conducted by the WCSD School Police Department in conjunction with the Labor Relations Department.
 - d. An individual who provides false information or fails to disclose all requested information on an employment application, to include a background check questionnaire, may have an offer of employment withdrawn or be subject to disciplinary consequences up to and including termination of employment, as applicable
7. Retention of Information. Information obtained through a background check shall, in accordance with state and federal laws and regulations:
- a. Be maintained by the WCSD School Police Department; and
 - b. Remain confidential, to the extent possible.

DESIRED OUTCOMES

1. Through this document and its associated Board policy, the District shall establish, maintain, and communicate to staff uniform procedures for the collection and submission of background check information and fingerprints.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

1. This regulation reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 4110, Talent Acquisition and Selection
 - b. Board Policy 4505, Standards of Professional Conduct
 - c. Board Policy 4510, Background Checks and Mandatory Reporting

- d. Administrative Manual 1535, Volunteer Procedures
- 2. This regulation complies with state and federal laws and regulations, to include:
 - a. Nevada Revised Statutes (NRS) Chapter 432, Public Services for Children
 - b. NRS Chapter 391, Personnel

REVIEW AND REPORTING

- 1. This document shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the associated policy as well as an audit of the accompanying governing documents.
- 2. Administrative regulations, and/or other associated documents, will be developed as necessary to implement this document.

REVISION HISTORY

Date	Revision	Modification
7/24/2018	1.0	Adopted: