

POLICY NO. 4020
Adopted: 8-28-96
Revised: 4-23-97
Revised: 8-26-09

EMPLOYMENT OF STAFF

POLICY:

Delegation of Duties

The Lake Stevens School District Board of Directors has the legal responsibility of employing all staff. The responsibility of administering the recruitment process is assigned through the Superintendent and Assistant Superintendent.

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.

Documents

Prior to formal employment by the Board, a prospective staff member shall present necessary documents which establish eligibility to work and attest to his/her eligibility. The District shall also 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;
- 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.

Records Check

All regular K-12 employees, certificated and educational assistant substitutes,

and long-term subcontractors will be subjected to a fingerprint background check through the Washington State Patrol and the Federal Bureau of Investigation criminal identification system prior to employment.

All other classified substitutes, volunteers, auxiliary employees, community education instructors, and students, including minors that do not have regularly scheduled, unsupervised access to children, shall be subjected to a name and birth date background check with the Washington State Patrol.

The Superintendent is directed to establish procedures for determining which staff members are authorized to access the Office of Superintendent of Public Instruction's (OSPI) record check and Washington State Patrol (WATCH) record check databases. Record check information is highly confidential and shall not be disseminated to any other 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 OSPI record check database.

Conditional Employment

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 OSPI or the online check through WATCH is complete, whichever is appropriate. If the background check reveals evidence of convictions as identified above, employment will be terminated.

Reasonable Assurance

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 or his/her designee shall give "reasonable assurance" by written notice that the staff member will be employed during the next school year.

Cross Reference:

Policy No. 5430: Volunteers

Legal References:

RCW 28A.400.300 Hiring and discharging of employees--
Seniority and leave benefits, transfers between school districts
RCW 28A.405.210 Conditions and contracts for employment--
Determination of probable cause for nonrenewal
of contracts--Notice--Opportunity for hearing
43.43.830-40 Washington State Criminal Code Records
50.44.050 Benefits Payable, Terms and Conditions
50.44.053 Definition of "reasonable assurance"
WAC 162-12 Preemployment Inquiry Guide (Human Rights
Commission)
446-20-285 Employment-Conviction Records
P.L. 99-603 (IRCA) Immigration Reform and Control Act of
1986