

Background Checks, Certification Requirements, Assurances and Approval

Background Checks

Applicants for employment, prospective volunteers, or prospective contractors shall be required to disclose to the ESD whether they have been convicted of any of the crimes listed in RCW 43.43.830 or found in a civil adjudication to have abused any minor or developmentally disabled person as described in RCW 43.43.834(2). ESD 112 employment and the engagement of ESD 112 volunteers or individuals providing contracted services will be conditional upon the receipt of a satisfactory report from Washington State Patrol and, where required, a satisfactory report from the Federal Bureau of Investigation.

All prospective ESD employees, volunteers and contractors are required to complete a records check through the Washington State Patrol criminal identification system prior to their first day as an employee, volunteer or contractor, or if they did not complete a records check when they were employed, prior to their first date in a new position. If an employee, volunteer, or contractor may have regularly scheduled unsupervised access to children under sixteen (16) years of age, or developmentally disabled persons, the employee must submit to a records check through the Federal Bureau of Investigation. Unsupervised means not in the presence of another employee or volunteer.

All prospective employees, certificated and classified, who have worked in a school district, are also required to complete and sign a Washington state Sexual Misconduct Disclosure Release Form. This disclosure form allows previous district employers to disclose any investigative materials or findings related to sexual misconduct. Failure to sign the form will render a prospective employees ineligible for ESD 112 employment per RCW 28A.400.301.

If an employee, contractor or volunteer has undergone a records check through the Federal Bureau of Investigation in the last two (2) years, ESD 112 may waive the requirement for the record check.

The Federal Bureau of Investigation records check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card.

The Washington State Patrol and Federal Bureau of Investigation records check fingerprint process shall be initiated prior to commencing employment, volunteering, or providing contracted services. Employment or service as a volunteer or contractor will be conditional pending the outcome of the background check.

Certification Requirements

Certificated staff must hold a Washington state certificate, with proper endorsement (if required for that certificate and unless eligible for out-of-endorsement assignment), for the role and responsibilities for which they are employed. Failure to meet this requirement may result in termination of employment.

Classified Staff – Reasonable Assurance

Classified staff who are engaged to serve less than twelve (12) months, will be advised of their employment status for the ensuing school year prior to the close of the school year. The superintendent will give "reasonable assurance" by written notice that the staff member will be employed during the next school year.

Acceptable Driving Record

Driving personnel, including school bus and delivery service drivers and any other personnel whose primary responsibility is operation of a motor vehicle shall furnish or sign a waiver allowing the ESD to obtain from the Department of Licensing a five (5) year abstract of his/her employment and nonemployment driving record at the time of employment and annually or as otherwise required by the ESD thereafter.

Certification of School Bus Drivers

It shall be the responsibility of employees whose assignment includes responsibility for operation of a school bus to meet and continue to meet the requirements set forth in chapter RCW 28A.160 as now or hereafter amended.

Legal References:

RCW 28A.310. 200 – ESD board – Powers and duties – Rules.

RCW 43.43.830 – Background checks – Access to children or vulnerable persons.

WAC 392-300-045 through 392-300-060.

Adoption Date: **4-10-75**

Revised Dates: **1-20-77; 1-23-79; 2-26-85; 3-29-88; 3-26-91; 2-23-93; 2-24-98; 7-27-04; 2-22-05; 9-25-07; 3-29-11; 3-25-14; 1-1-17; 9-23-24**

Renumbered: **301 to 5005 1-1-17**