

6405: Screening Potential Employees and School Volunteers

The Exeter-West Greenwich School Committee requires a safe educational and work environment in the district schools. To achieve this, potential employees and certain school volunteers shall be subject to background screening prior to obtaining permanent employment status or given access to school children.

Proclamation

To ensure that the district only employs or authorizes persons to volunteer in schools who are unlikely to pose risk to the safety of children, employees or effective school operation, the school committee herein proclaims that all potential employees, and certain school volunteers shall undergo national and/or state criminal background screening checks as set forth in this policy.

Scope

This policy applies to all potential employees and to all school volunteers who have or will have direct access to school children. The policy applies to volunteers whether they began volunteering prior to or subsequent to the effective date of this policy.

Definitions

Potential Employee—means a person (applicant) who is applying for employment or who is under consideration for compensated employment in the school district.

District Administration Staff—mean a person or persons designated by the superintendent to manage district personnel records.

School Volunteers—means persons, usually parents, who contribute uncompensated time to the schools. There are four categories of volunteers.

- Category A school volunteers have direct one-on-one access to students serving as chaperons on school sanctioned overnight student travel.
- Category B school volunteers may have direct one-on-one access to students, in the presence or outside the presence of school employees, while performing such tasks as: chaperoning on field trips, assisting teachers in elementary classrooms, organizing and assisting in school sponsored events including sports and other extra-curricular activities on and off school premises.
- Category C school volunteers perform their tasks separate from students or in the presence of school employees when students are present. Their duties may include: copying, bookbinding or other tasks for teachers; preparing school facilities for fashion shows, dances or other school social events; working on school athletic courts and fields; or landscaping school grounds.
- Category D volunteers perform task for entities that use school facilities for a wide range of events which are not school sponsored. Such entities may include: youth sport leagues, parents-teachers association, boy scouts, girl scouts and others.

Background Screening—Potential Employees

To be considered for employment, applicants must provide all reference information that is requested, which shall be held confidential and used only for the purposes for which it was obtained. Any provision of misleading or false information submitted by the applicants shall be disqualifying; and if such is uncovered after employment, it shall be grounds for termination. If information is obtained that reflects on an applicant's fitness for employment, the applicant will be so advised and provided with opportunity to review, correct, and respond as warranted;

however, the district administration will not reveal any source of confidential information concerning the applicant.

If the interview results in an offer of employment, the applicant shall be informed that they must submit to national and state criminal back ground checks not later than one week prior to beginning employment; and that, the offer for employment is conditioned upon their submission to the checks and receipt of favorable reports from the checks.

The district administration staff will provide the applicant with a screening request form. The applicant will be instructed to present the screening request form to his or her state Attorney General office or state or local police department for processing. Applicants must appear in person to initiate the screening process, which includes finger printing. Applicants shall also be responsible for all costs related to their criminal background screening.

This background screening requirement may also be satisfied by one or both of the following:

- The applicant has been continuously employed in a Rhode Island elementary or secondary school—private or public—during the past twelve months, or
- The applicant has undergone a national criminal background check and a RI Bureau of Criminal Identification (BCI) check during the past twelve months, and the results of these checks are available to the district administration staff upon request.

A background screening report that reveals disqualifying information shall be grounds to disqualify the applicant for employment at the E-WG school district.

In accordance with RIGL 16-2-18.1 (f), the administration staff shall maintain on file, subject to review, evidence that criminal background checks have been initiated on all employees seeking employment subsequent to July 13, 1998, and the results of such checks.

Employee Self-Reporting

At any time police officials charge a school district employee with felonious criminal behavior, the employee shall, within two days of the date that the charge is filed, report such charge to the E-WG superintendent or the director of administration. Failure to report the charges within two days shall subject the employee to disciplinary actions including up to termination of employment.

Background Screening—School Volunteers

This policy requires that all persons who are category A and B school volunteers, as defined in this policy, and all such future volunteers submit to a RI BCI check; and that all category A volunteers also submit to the national criminal background screening check under the same provisions and with the same required outcomes as stated above for potential employees. Provided however, the national criminal background check requirement of category A volunteers may be satisfied by the volunteer providing proof of continuous Rhode Island residency for the past five years to the school principal, or designee, in the form of a signed and notarized statement to that effect. Background screening is not required of category C and D volunteers.

The school principals, or designees, will notify category A and B volunteers who are volunteering in their school, at the time concurrent with the effective date of this policy and those who volunteer subsequent to the effective date, that to qualify as school volunteers they must submit to criminal background screening. The principals, or designees, will provide volunteers with a request form(s) screening check(s), as appropriate for each volunteer. Volunteers requiring national screening will also be provided with a form that, when signed by the volunteer, will indemnify the police department from any harm relative to initiating the

national check request. Such form will be developed by the superintendent, or designee, and reviewed by the school district's legal counselor.

The principals will direct West Greenwich resident-volunteers to the West Greenwich Police Department to initiate the screening checks. Exeter residents will be directed to the RI State Police Department.

NOTE: The national criminal background check is a service provided by the FBI. Requests for national screening of potential employees are forwarded through the Rhode Island Bureau of Criminal Identification, a department of the RI Attorney General; however, since there is no requirement in law to screen non-school employees, the bureau does not forward national criminal background check requests for school volunteers; **and hence to forward such requests, the police departments may require indemnification protection provided by the E-WG School District.**

Volunteers will be given a fourteen-day grace period from the date of notice in which to confirm with the school principal, or designee, that they have applied for their required criminal background checks. They may continue their volunteer status pending the time before the result of the check is available.

A record of persons who have qualified for volunteering, as a result of favorable reports from the screening checks, will be maintained in the principal's office of each school in which they volunteer, and only those persons so qualified shall be allowed to perform the tasks for which they were screened. Such records shall be available to principals of the district's other schools at which persons seek to volunteer. A central records file for volunteers shall also be maintained in the superintendent's office.

A favorable report from a screening check alone shall not qualify any person to volunteer. As a minimum, volunteering shall also require compatibility with school policies and procedures, and cooperative relations with faculty and administration. The school principal may impose additional qualifying requirements and shall reserve the right to disqualify any volunteer who fails to meet minimum requirements.

Costs for criminal background screenings of volunteers will be divided between the school district and the volunteers.

Five-Year Interval Re-Screening of School Volunteers

All category A and B school volunteers shall submit to background re-screening ever five years and after any period, subsequent to initial screening, during which the person was absent from volunteering for more than one year. Re-screening for category A volunteers shall consist of the national criminal background check and the RI BCI check. Provided however, category A volunteers who have continuously resided in Rhode Island for the past five years shall be excused from the national criminal background re-screening requirement. To be excused category A volunteers must provide the school principal, or designee, with a signed and notarized statement as proof of their five-year residency. For category B volunteers, the RI BCI check will be required.

The fitness for continued volunteering shall be determined by submission to the re-screening and by the findings of the background re-screening process in the same manner as the initial background screening to gain volunteer status.

School principals, or designees, shall notify their category A and B volunteers of the required background re-screening. Costs for re-screening will be divided between the volunteers and the school district.

Applicable Rhode Island General Laws

- 16-2-18.1 Criminal records review
- 16-2-18.2 Prior criminal records checks
- 23-17-37 Disqualifying information

Dissemination

This policy will be disseminated to all school employees.

Effective Date

This amended policy shall become effective on September 1, 2008.

1st Amendment Reading June 12, 2007

1st Amendment Adopted: June 26, 2007

2nd Amendment Adopted: August 12, 2008