

## **Employment Background Checks**

### **Employee Background Checks—**

At the time a prospective employee makes application for employment with the District, such prospective employee shall fill out an employment application providing the following warning:

*“All references stated in this application will be checked by the School District and it is the policy of this School District that false information will be grounds for rejecting your application with no further consideration for the position; or, if such false information is discovered after hire, you will be subject to immediate termination for cause. Any false information may also be the grounds for criminal prosecution.”*

All employees seeking employment with the District shall sign a written release, waiver, and authorization which authorize the District to request information from the prospective employee's past three employers and supervisors. The release, waiver, and authorization shall also authorize the District to contact former employers to obtain a reference check and to conduct a background search into the employee's criminal record, if any, or any other background check as the District deems necessary to satisfy itself of the quality and competence of the prospective employee's credentials.

### **Criminal Background Check—**

The Superintendent or the Superintendent's designee shall require any prospective employee, or volunteer who will be given significant unsupervised access to a student in connection with the volunteer's assignment or, where reasonable cause exists, a current employee or volunteer to submit to a criminal background, and shall require the person to provide fingerprint identification for that purpose.

The applicant, volunteer, or employee shall be given written notification that a background check has been requested. The Superintendent or Board shall consider only those convictions which are job-related for the applicant, employee or volunteer.

Unless a criminal background check is done as part of an employee's continued licensing with the state, an employee shall submit to criminal background checks every six years or more frequently based upon the employee's assignment.

# DAC

The District will pay the cost of an applicant's background check, except that if the following are true, the District will require an applicant to pay the costs of the background check as a condition for consideration for employment:

1. The applicant has passed an initial review; and
2. The application is one of a pool of no more than five candidates for a position

The District may require an employee to pay the cost of a periodic criminal background check required for continued employment.

An applicant, volunteer, or employer shall be extended an opportunity to respond to or explain any information received as a result of the criminal background check.

If the District denies a person employment or terminates an employee because of information obtained through a criminal background check, the person or employee shall be given written notice of the reasons for denial or dismissal and extended an opportunity to respond to the reasons.

Information obtained pursuant to a criminal background check is confidential and may only be disclosed as provided herein.

The District shall submit to the Department of Public Safety a complete list of non-licensed employees, including names, dates of birth, and social security numbers.

*Utah Code Ann. § 53A-3-410*  
*Utah Admin. Code R277-520-11*  
*Utah Admin. Code R277-516-4*  
*Utah Admin. Code R277-501-6.*