

**EMPLOYMENT: DISCLOSURES, CERTIFICATION REQUIREMENTS, ASSURANCES AND APPROVAL**

The board has the legal responsibility of employing all staff. The responsibility of administering the recruitment process is assigned to the superintendent. Prior to final action by the board, a prospective staff member shall present necessary documents which establish eligibility to work and attest to his/her eligibility. The superintendent shall certify that he/she has: "examined the documents which were presented to me by the new hire, that the documents appear to be genuine, that they appear to relate to the individual named, and that the individual is a U.S. citizen, a legal permanent resident, or a non-immigrant alien with authorization to work."

Prior to employment of any unsupervised staff member or volunteer, the district shall 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;
- D. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor: or

For purposes of this policy, unsupervised means not in the presence of another employee or volunteer and working with children under sixteen years of age or developmentally disabled persons. The disclosure shall be made in writing and signed by the applicant and sworn to under penalty of perjury. The disclosure sheet shall specify all crimes committed against persons.

For the purpose of this policy, unsupervised means not in the presence of another employee or volunteer and working with children under sixteen years of age or developmentally disabled persons. The disclosure shall be made in writing and signed by the applicant and sworn to under penalty of perjury. The disclosure sheet shall specify all crimes committed against persons.

Prospective unsupervised staff members shall have their records checked through the Washington state patrol criminal identification system and through

the Federal Bureau of Investigation. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. Unsupervised volunteers and employees without unsupervised access to children shall also be advised that they will be subjected to a name and birth date background check with the Washington State Patrol. 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 Washington state patrol. If the background check reveals evidence of convictions as identified above, the candidate will not be recommended, or if temporarily employed, will be terminated immediately.

All staff members selected for employment shall be recommended by the Superintendent. Staff members must receive an affirmative vote from the majority of the 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.

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 shall give "reasonable assurance" by notice that the staff member will be employed during the next school year.

**Cross References:**

- (cf. 1712 – Conflicts of Interest)
- (cf. 5255 – Disciplinary Action and Discharge)
- (cf. 5410 – Substitute Employment)
- (cf. 5420 – Aides)
- (cf. 8331 – Unemployment Insurance)

**Legal References:**

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

**1. CERTIFICATION**

(WSSDA Reference 5120)

The district shall require that certificated staff hold a Washington State Certificate, with proper endorsement (unless eligible for out-of-endorsement assignment or the district has obtained the appropriate State Board of Education waiver), for the role and responsibilities for which they re employed. Failure to meet this requirement shall be just cause for termination of employment. State law requires that the initial application for certification shall require a background check of the applicant through the Washington State Patrol criminal identification system and Federal Bureau of Investigation. No salary warrants may be issued to the staff member until the district has registered a valid certificate for the role to which he/she has been assigned.

In addition, any teacher who meets standard or continuing certification after August 30, 1987, must complete 150 hours of continuing education study every five years. Failure to satisfy this requirement will cause the certificate to lapse.

**Cross Reference:**

(cf. 5121 – Unprofessional Conduct)

(cf. 5210 – Assignment, Reassignment and Transfer)

(cf. 5340 – Staff Development)

**Legal References:**

RCW 28A.350.050 Teacher must qualify before warrant drawn and issued or registered—All districts.

RCW 28A. 405.02 Qualifications—Certificate or permit required

RCW 28A. 405.06 Course of study and regulations – Enforcement – Withholding salary warrnt for failure

RCW 28A.410.01 – Certification – Background check

WAC 180-16-220 Supplemental Program Requirements

WAC 180-16-221 Assignment of Classroom Teachers Within Districts

WAC 180-16-222 Exceptions to Classroom Teacher Assignment Policy

WAC 180-16-223 Temporary Out of Endorsement Assignment Criteria

WAC 180-16-231 Assignment of Principals

WAC 180-16-236 Assignment of Educational Staff Associates

WAC 180-85 Continuing Education

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