

CRIMINAL BACKGROUND CHECKS

In accordance with Wyoming and federal law, a criminal background check shall be conducted prior to the final decision on hiring any employee. Criminal background checks shall be requested either by the School District or, if a certified employee, this requirement may be met by the Professional Teaching Standards Board. This information, when received by the School District, shall be utilized solely for the purpose of providing additional information relevant to the hiring decision of the applicant. The criminal background information shall not be permitted to be used for any other purpose, and in order to ensure confidentiality of this information the following policy and procedure shall be implemented:

1. The Superintendent or person designated by the Superintendent to have access to the criminal background information will, if requested by the Wyoming Department of Criminal Investigation, sign rules of behavior promulgated by that agency and submit a finger-based background check to the Wyoming Department of Criminal Investigation.
2. Access to the criminal background information shall be restricted to the Superintendent except that he may designate the administrator having primary responsibility for hiring the individual to receive the criminal history information. The Superintendent or his designee shall have authority to reject any applicant who has been recommended for employment based upon the information contained in the criminal background check. This information will not be shared with all members of the interview or hiring committee.
3. The criminal history information shall be retained in a separate filing cabinet at the central administration office, which cabinet shall be secure (locked), with access to the filing cabinet given only to the Superintendent and/or his designee. Criminal history information will not be stored in an electronic format/database.
4. In the event the Superintendent elects to designate another person to receive the criminal history information, the Superintendent shall ensure that the person understands the confidential nature of this information, that he/she has not previously violated any of these procedures or rules, and that the person is familiar with the substance and intent of this policy.

The criminal background information may be retained and reviewed by the Superintendent or his designee in the event that any employee requests a transfer or applies for a different position.

Criminal background information shall be retained in the records of the School District for at least one year. Thereafter, the Superintendent may elect to destroy the criminal background information, in which event the District shall retain a record that the criminal background information was acquired as provided by federal law and Wyoming law, which record shall also indicate the date the information was destroyed. The record indicating that the criminal background check was

acquired and the date it was destroyed shall be retained until the employee is no longer employed with the School District.

LEGAL REFERENCE: W.S. 21-7-401

Adopted: October 8, 1996
Revised: January 12, 2016