

TISA

TAOS INTEGRATED SCHOOL OF THE ARTS

Background Check Policy 2016-2017

1. PURPOSE

- 1.1 It is the policy of the Governing council of Taos Integrated School of the Arts to maintain a safe environment for the children of the school. Individuals seeking employment at TISA must demonstrate a background free of criminal activity. The TISA office will keep up-to-date records of all employees by maintaining personnel files on all employees.

2. SCOPE

- 2.1 This policy applies to all employees and applicants for positions of employment at Taos Integrated School of the Arts.

3. REFERENCES/RELATED policies

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| 3.1.1 NMSA 1978, § 22-10A School Personnel Act | 3.1.2 NMSA 1978, §61-5A-27 Criminal Offender Act |
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4. RESPONSIBILITIES

- 4.1 It is the responsibility of the TISA office to maintain personnel records.
- 4.2 It is the responsibility of TISA employees to provide clear background checks.

5. DEFINITIONS

- 5.1.1 None

6. POLICY

6.1 Personnel Background Checks

6.1.1 Pursuant to the New Mexico School Personnel Act NMSA 1978, § 22-10A-5 Taos Integrated School of the Arts may conduct work history, education-history, and or reference investigations on each candidate recommended for hire including, but not limited to, permanent full-time and part-time employees, substitutes, and temporaries. Each candidate will be subject to a criminal background investigation, including mandatory fingerprinting, at the candidate's expense, as a condition of further consideration for employment.

6.1.2 Any offer of employment is contingent upon the satisfactory completion of all

background investigations. Conviction of a crime shall not automatically bar an applicant from obtaining employment with TISA, but pursuant to NMSA 1978, § 61-5A-27 "Criminal Offender Employment Act," may be the basis for refusing employment.

6.1.3 Criminal background checks, as described in 6.1.1, shall also be conducted upon each contractor or contractor's employee, at the expense of the contractor or contractor's employee has unsupervised access to students. In such cases, contracts shall be subject to the satisfactory completion of background checks.

6.1.4 With regard to existing employees, Taos Integrated School of the Arts may conduct equivalent background investigations if Taos Integrated School of the Arts becomes aware of facts, circumstances or conduct giving rise to a reasonable suspicion that the employee has a history which, if substantiated, may adversely affect his/her fitness to continue in employment with Taos Integrated School of the Arts.

6.15 If the applicant for employment meets all other criteria for employment in the school, but doesn't have the results of a background check to be conducted based on the applicant's social-security number. If this background check is clear, the applicant may be employed on a temporary basis for up to ninety (90) days pending the receipt of the felony records search results as described in 6.1.1. If, after ninety (90) days, the results of the background check are not received by the school, the applicant will not receive an offer of permanent employment. If the applicant is offered permanent employment following the review of the records search, the search fee, if any, will be reimbursed to the school by the employee up to a maximum of \$40.00.

6.16 Every employee will have a new criminal background investigation conducted, based on finger prints, every five years.

6.2 Employee Personnel Files

6.2.1 The employee's official file shall be maintained in the school's office. Material that may not be placed in the official file until the individual has had the opportunity to read the material and to sign and date the actual copy to be filed. The employee shall have the right, within ten (10) working days, to affix a written response to said material. Documentation must be made a part of the official file in order for it to be used in an action that adversely affects an individual's employment status.

6.2.2 An employee may review the contents of his/her official file during normal business hours, but only during the employee's duty free time. The employee is entitled to receive a copy of any documents contained therein with the employee paying the cost of reproduction.

7. ATTACHMENTS

8. REVISION HISTORY

STATEMENT OF ACCEPTANCE

This document was approved by the Governing Council of the Taos Integrated School of the Arts on _____. The effective date of this Policy is _____. This Policy is effective and enforceable immediately.

Any future additions, deletions, or amendments of this Policy are to be recorded on the REVISION HISTORY of this policy. These revisions will state the date of revision, section revised, and authorized of the revision. A copy of the complete revision will become a permanent part of this Policy.