



School Safety BP 07 16

Board Policy: FINGERPRINTING AND BACKGROUND CHECKS

Fingerprinting

Gateway Community Charters (GCC) shall comply with the applicable provisions of the Education Code, including Sections 44237, 44803.1 and 45125.1.

As required by law, all individuals working or volunteering at the GCC will be required to submit to fingerprinting and a criminal background investigation. No condition or activity will be permitted that may compromise the GCC's commitment that the safety and the well-being of students takes precedence over all other considerations. Conditions that preclude working at the GCC include conviction of a controlled substance or sex offense, or a serious violent felony. Additionally, should an employee, during his/her employment with the GCC, be convicted of a controlled substance or sex offense, or serious or violent felony, the employee must immediately report such a conviction to the principal or immediate supervisor.

The GCC shall fingerprint and background check school volunteers who will come into contact with students outside of the supervision of a GCC employee or who work with students in excess of ten (10) hours per week, prior to volunteering at the GCC. A school volunteer is defined as an individual working under the direction of a paid GCC employee to provide a service without compensation on campus while working with or around children. Campus volunteers must abide by all applicable laws and agree to abide by the policies of the GCC, including the submission of fingerprints and the approval for the GCC or its designee to perform background checks. The fingerprints will be sent to the Department of Justice for the purpose of obtaining a criminal record summary.

Additionally, the GCC on a case-by-case basis require an entity providing contract services require the entity's employees to comply with the requirements for fingerprinting, unless the GCC determines that the employees of the entity will have limited contact with pupils. In determining whether a contract employee will have limited contact with pupils, the GCC must consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether pupils will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or under the supervision of GCC personnel.

Procedures for Background Checks

The Director of Personnel and Academics or designee shall review Department of Justice reports on prospective employees/contractors; volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44803.1 or 45125.1, except with respect to her or himself, in which case the Chief Executive Officer will review. The Director of Personnel and Academics shall monitor compliance with this policy and report to the Board or Directors as needed.