



Responsible Office: Office of Human Resources

BOARD POLICY 4510
PROTECTION OF STUDENTS -
BACKGROUND CHECKS AND MANDATORY REPORTING

PURPOSE

The Board of Trustees (Board) is committed to the protection of Washoe County School District (District) students and employees. In order to strengthen public confidence with adult interaction with students, this Board Policy establishes mandating background checks and fingerprinting of individuals who regularly spend time with students, as well as mandatory reporting protocols related to child abuse and/or neglect.

DEFINITIONS

1. "Abuse or neglect of a child" refers to the physical or mental injury of a non-accidental nature; sexual abuse or sexual exploitation; or negligent treatment of a child.
2. "Child", for the purposes of this Board Policy, refers to a person under the age of 18 years or, if in school, until graduation from high school.
3. "Corporal punishment" refers to the intentional infliction of physical pain upon or the physical restraint of a student for disciplinary purposes.
4. "Employees" refers to all District paid employees, to include full-time, part-time and temporary.
5. "Representative of the District" refers to individuals who do not meet the definition of employee or a volunteer but who may have access to students. This may include, but is not limited to, student teachers, contractors.

POLICY

1. This Board Policy applies to all employees whether full-time, part-time, or temporary.
2. As the safety of students and employees is of primary concern, the District shall utilize criminal and civil background checks as one part of the rigorous process by which employees are selected.

3. Criminal and Civil Background Checks – Employees

- a. In order to provide for the safety and security of students, employees and visitors to District properties, employees shall submit to and pass a background check, to include fingerprinting, as described in this Board Policy.
 - i. For the purposes of this section, the term “employee” includes “conditional hires” or individuals who are extended an offer of employment pending successful completion of a background investigation.
 - ii. Background checks are a condition of employment. Offers of employment may be rescinded based on failure to pass a background check.
- b. Background checks shall include the person's name, date of birth, gender, race, and Social Security number.
- c. Background Check with Fingerprinting.
 - i. A background check with fingerprinting may include a search against the state and national sex offender registries, the active “wants and warrants” list, restraining orders, FBI terrorist list, and individuals currently on probation or parole.
 - ii. Employees who require licensure through the Nevada Department of Education (NDE) shall comply with the criminal background check and fingerprinting procedures of the NDE. This generally includes a background check with fingerprinting every five years, or in accordance with the individual’s licensure requirements. Such employees include but are not limited to teachers, counselors, and school administrators.
 - iii. Employees who do not require licensure through the NDE, shall submit to a criminal background check and fingerprinting conducted by the District every five years. Such employee includes but is not limited to educational support personnel, non-school administrators, school police, and departmental staff.
- d. Information obtained through a background check shall:
 - i. Be maintained by the District’s School Police Department; and
 - ii. Remain confidential, to the extent possible under state and federal laws and regulations.

- e. Qualified applicants and current employees whose criminal history background check reveals a violation of District Board Policy may appeal the criminal history restrictions to employment through a process of review through the School Police Department, in conjunction with the Office of Human Resources, Department of Labor Relations.
 - f. The Superintendent, through the Office of Human Resources, Department of Labor Relations and School Police Department, shall cause to have created procedures related to background checks and fingerprinting for staff.
4. Mandatory Reporting of Abuse or Neglect of a Child or Vulnerable Person
- a. Employees, by virtue of close proximity to and/or frequent interaction with students, are in a position to assist in identifying the potential abuse and/or neglect of children. As a result, and in accordance with Nevada state law, all District employees are mandatory reporters of child abuse and/or neglect. This includes certain offenses involving sexual misconduct, corporal punishment, and/or luring of a minor.
 - b. Any District employee who has reasonable cause to believe that a child has experienced abuse or neglect shall report such incident or belief to Child Protective Services (CPS), School Police, or an outside law enforcement agency immediately, and not later than 24 hours. This includes suspected sexual abuse or exploitation, physical or mental injury of a non-accidental nature (i.e. corporal punishment), luring of a child, or negligent treatment or maltreatment of a child.
 - c. Employees shall immediately report to School Police or an outside law enforcement agency any actual, suspected, possible, or potential inappropriate relationship, interaction, or communication, to include grooming behaviors, between an employee and a student. "Grooming" is generally defined as the process of creating an emotional connection with a child for the purpose of sexual abuse or exploitation.
 - d. The District shall ensure that all employees are aware of their responsibilities as mandatory reporters and develop procedures to provide guidance to staff related to the timely and appropriate reporting of potential concerns.
 - e. The District requires the reporting of the abuse, neglect, exploitation, isolation or abandonment of a vulnerable person, specifically of those students in the District who are aged 18 or over who:

- i. suffer from a condition of physical or mental incapacitation because of a developmental disability, organic brain damage or mental illness; or
- ii. Have one or more physical or mental limitations that restrict the ability of the person to perform the normal activities of daily living.

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

1. This Board Policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) to include:
 - a. Chapter 388, System of Public Instruction;
 - b. Chapter 391, Personnel, specifically:
 - i. NRS 391.033, Issuance of licenses; fingerprinting of applicants; provisional licensure authorized;
 - c. Chapter 392, Pupils; and
 - d. Chapter 432B, Protection of Children from Abuse and Neglect.

REVISION HISTORY

Date	Revision	Modification
2/13/2018	1.0	Adopted
10/15/2019	2.0	Revised: removed references to Volunteers (to BP 1500, Volunteers)
11/23/2021	3.0	Revised: clarify language, added Department of Labor Relations