

**EMPLOYEE SCREENING AT TIME OF APPLICATION  
(Classified Staff)**

The Board of Education (Board) of Telluride School District R-1 (District) has determined that for the safety of students and staff and potentially for the protection of the District's business and operations it is crucial to know whether any job applicant for a classified (non-licensed) position has a criminal record. While statutory screening processes pertaining to licensed staff are adequate for that purpose, the Board finds that the employment of classified staff requires additional measures. The Board therefore finds and determines that the following provisions and conditions will be implemented with regard to classified employment applications:

1. A conviction of a crime will not automatically result in a denial of employment by the District, and as part of the application process, applicants will be informed that the District will not deny employment to any applicant solely because the person has been convicted of a crime.. However, the District will consider the nature, date and circumstances of the offense as well as whether the offense is relevant to the duties of the position applied for, and may deny employment if it is determined that there is a reason for such denial related to the business and operations of the District, and/or the welfare and safety of District staff and students, in accordance with the guidelines contained in this policy.

2. There are certain types of offenses that in most cases would disqualify an individual from employment by a public school district. It is the policy of the District to discourage the employment of classified staff with records of criminal convictions or pending cases, whether felony or misdemeanor, for offenses

a. indicating a propensity toward violence, such as assault, illegal possession of weapons, spousal abuse or child abuse, robbery, and menacing;

b. indicating a disregard for property rights, such as burglary, theft, embezzlement, and forgery;

c. indicating substance dependency or abuse, such as DUI within the last five years, possession or sale of controlled substances (other than misdemeanor marijuana possession over two years old), other alcohol or drug-related offenses;

d. indicating a history of sexual misconduct, whether related to children or adults.

e. if the position will involve operation of a motor vehicle, offenses indicating the person is a potentially dangerous driver, such as a reckless driving conviction within the last five years.

3. The District will not inquire or screen concerning arrests or detentions

a. that did not result in a conviction; and

b. that does not involve a case pending at the time of the application for employment.

4. All job applicants for classified positions will be required to answer the following questions:

a. *Have you ever been convicted of or pled nolo contendere to a felony, or convicted of or pled nolo contendere to a misdemeanor involving any violent act, use or possession of a weapon, sexual misconduct, possession of a controlled substance (other than possession of less than an ounce of marijuana more than two years prior to the date of application), sale of a controlled substance, DUI (within the last five years) or other alcohol-related offense, spousal abuse, child abuse, theft, embezzlement, forgery, or act of dishonesty, for which the record has not been sealed or expunged?*

b. *If yes, please briefly describe the nature of the crime(s), the date and place of conviction and the legal disposition of the case.*

c. *Are you currently out on bail, the subject of a current warrant for arrest or released on your own recognizance pending trial?*

d. *[If the position will involve operation of a motor vehicle] Have you been convicted of reckless driving within the last five years?*

e. *If yes, please briefly describe the nature of the offense(s), the date and place of conviction and the legal disposition of the case.*

5. Any misstatements or omission of material facts in the application or the hiring process will result in disqualification, or immediate termination of employment.

6. The District will perform a criminal background check on all applicants. Whenever practicable, the background check will be completed before an employment offer is made or employment starts. At the reasonable discretion of the District superintendent, the District may offer or start employment conditioned on the background check/screening, provided that the employee is given a **written offer letter** specifying that the employment is conditioned upon the

receipt by the District of a background report that is satisfactory to the District, in the District's sole discretion.

7. The Superintendent will notify the Board when any classified applicant has a criminal record, including the material particulars of each offense, and provide a recommendation concerning the grant or denial of employment and the reasons for such recommendation.

Adopted: December 19, 2006

By The Telluride School District Board of Education