

POLICY GBJC

Board of Education Las Cruces Public Schools

Related Entries: GBJC-R

Responsible Office: Associate Superintendent for Operations

Applicable To: Union Certified Employees Union Classified Employees Non-Union Employees
 All Employees

EMPLOYMENT: HIRES, INVESTIGATIONS, VERIFICATIONS AND EXAMS

I. PURPOSE

To establish a process ensuring that employment candidates and school district employees meet the standards of employment as required by LCPS and/or state statute.

II. BACKGROUND

- A. The Las Cruces Public Schools Board of Education is committed to a safe learning and working environment for its students and employees. Therefore, the school district shall conduct thorough background investigations, reference checks, education and work history verifications, and other tests or checks that are necessary for determining eligibility for employment or to ensure, as part of the pre-employment process, employees are capable of performing their duties as assigned.
- B. The Board is equally committed to ensuring that substitutes, volunteers and others who have unsupervised contact with students, undergo the necessary investigations and/or verifications, as per state law.

III. POSITION

- A. This policy applies to all individual employees (faculty and staff), as part of the pre-employment process.
- B. The hiring of all LCPS employees, except for the Superintendent, shall be the responsibility of the Superintendent of Schools, in accordance with state statute §22.5.14 NMSA 1978.
 - 1. The hiring of the Superintendent is the responsibility of the Board of Education, §22.5.4 NMSA 1978 (see LCPS Policy BBA: Board Powers and Responsibilities).
 - 2. Employee job offers shall be extended only by the Superintendent or his/her designee.
 - 3. The length of employee contracts shall be determined by the Superintendent, including but not limited to short-term contracts or contracts longer than one year.

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- C. As a condition of employment, certain employees or candidates must hold a valid license or certificate in order to work for LCPS, §22-10A-3; 22-10A-11.3 – 12; 22-10A-15; 22-10A-17 – 17.1, NMSA 1978.
- D. Background investigations must be conducted on all school employees, including, but not limited to, substitutes, in accordance with state statute, §22-10A-5 NMSA 1978. Convictions of felonies or misdemeanors contained in the Federal Bureau of Investigation (FBI) record shall be used in accordance with the Criminal Offender Employment Act §28-2-1 NMSA 1978.
- E. Background checks are required of an applicant who has been offered employment, a contractor or a contractor's employee with unsupervised access to students at a public school.
- F. Background checks may be required of school volunteers.
- G. An FBI criminal background investigation, which includes mandatory fingerprinting, shall be at the candidate's expense and is a condition of further consideration for all categories of employment.
- H. Employment may be contingent upon aptitude or ability tests as well as post-offer physical/health examinations at the employee's expense.
- I. All applicants for employment with the school district shall be required to read and sign a Criminal History Affidavit Form and an Agreement, Authorization, Waiver, and Release Form, which are part of the school district's certified and classified application packets.
- J. The Superintendent of Schools shall promulgate a regulation for the enforcement of this policy.

IV. REVIEW

This policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.



Board of Education, President

October 19, 2010

Date Approved

History: Formerly Policy #208 (Background Investigation, Examination and Tests); Revised 7.22.98; Revised 10.17.00; Revised 09.18.01; 10.19.10

Legal Reference: §28-2-1 NMSA 1978; 20-10A-5; §22-5-14, 22-5-4, 22-10A-3; 22-10A-11.3 – 12; 22-10A-15; 22-10A-17 – 17.1, NMSA 1978