

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Fingerprint Clearance
	POLICY CODE: GDFA

Fingerprinting

To ensure the safety of our students, all individuals who provide direct services to our students shall be fingerprinted as a condition of employment/ volunteering.

Exceptions:

1. **Employees** who, as a condition of certification, are required to have a valid fingerprint clearance card may submit a copy of that valid card in lieu of being fingerprinted. The fingerprint clearance card must remain valid at all times for the individual to remain employed by the District. If the certified employee is notified that the fingerprint clearance card has been suspended, the employee will have 10 days to provide proof of a valid fingerprint clearance. If the employee is unable to provide such proof within 10 days, he or she will be given the opportunity to apply for an unpaid leave of up to one (1) year. An employee who is still unable to provide proof of a valid fingerprint clearance within that time, or who does not apply for an unpaid leave at the conclusion of the initial 10-day period, will be subject to discipline up to and including termination.
2. **Parent volunteers** who are volunteering at their children’s schools do not require fingerprinting.

Certification regarding criminal offenses

In addition to obtaining the required fingerprint clearance as detailed above, all individuals, including parent volunteers, must certify whether they

- are awaiting trial on,
- have been convicted of, or
- have admitted in open court to committing

any of a variety of criminal offenses in Arizona or similar offenses in another jurisdiction as detailed in Policy Regulation GDFA-R. A person who makes a false statement, representation, or certification in any application for employment with TUSD is guilty of a class 3 misdemeanor.

After reviewing the certification:

- The District may refuse to permit an individual to volunteer at a school if that individual has been convicted of or admitted committing any of the criminal offenses as described in Policy Regulation GDFA-R.
- The District may refuse to hire candidates who have been convicted of or admitted committing any of the criminal offenses described in Policy Regulation GDFA-R.
- The District may review or terminate employees who have been convicted of or admitted committing any of the criminal offenses described in Policy Regulation GDFA-R. When considering termination of an employee pursuant to A.R.S. § 15-512, a hearing shall be held to determine whether a person already employed shall be terminated.

In considering whether to hire or terminate the employment of a person based on their certification regarding criminal offenses, the following factors shall be taken into account:

- The nature of the crime and the potential for crimes against children.
- Offenses committed as a minor for which proceedings were held under the jurisdiction of a juvenile or an adult court.
- Offenses that have been expunged by a court of competent jurisdiction, if the person has been pardoned or if the person's sentence has been commuted.
- The employment record of the person since the commission of the crime if the crime was committed more than ten years before the consideration of whether to hire or terminate the person.
- The reliability of the evidence of an admission of a crime unless made under oath in a court of competent jurisdiction.

Adopted: July 12, 2005

Revised: July 27, 2010 [recoded from GCFA to GDFA along with other revisions]

Reviewed: June 3, 2013

LEGAL REF.: A.R.S. 15-512, 15-534, 41-1750

CROSS REF.: GCFC – Certification and Credentialing Requirements
IJOC – School Volunteers