

SHALER AREA SCHOOL DISTRICT

No: 818

SECTION: OPERATIONS

TITLE: CONTRACTED SERVICES/BACKGROUND CHECKS

ADOPTED: AUGUST 19, 1998

REVISED: JULY 18, 2007; DECEMBER 10, 2008; MAY 13, 2009 JANUARY 11, 2012;
SEPTEMBER 18, 2013

818. CONTRACTED SERVICES / BACKGROUND CHECKS	
1. Purpose	The Board, in its effort to provide cost effective programs, may need to utilize contracted services. The Board will monitor and evaluate such services to assure their effectiveness. This policy is to assist the Board in procuring and maintaining qualified and legally-certified services.
2. Authority SC 111 Title 22 Sec. 8.1 et seq 23 Pa. CSA 6301	The board is required by law to ensure that independent contractors and their employees who have direct contact with students comply with the mandatory background check requirements for criminal history and child abuse.
3. Delegation of Responsibility SC 111 Board Policy 610	<p>The Superintendent or designee shall ensure that all contractors submit a report of criminal history record information, an official child abuse clearance statement, and an FBI Fingerprint Clearance for each of the contractor's prospective employees prior to employment. The district shall maintain a copy of the required information.</p> <p>Mandatory background check requirements for criminal history and child abuse shall be included in all bidding specifications for contracted services.</p> <p><u>Transportation Contractors, Contractor's Current Employees and All Contracted Service Providers</u></p> <p>It shall be the responsibility of the district's transportation contract carriers, their employees, and all contracted service providers to inform the district in writing any time they or their employees:</p> <ol style="list-style-type: none">1. Have been charged with a recent (within two (2) weeks) criminal offense that would bar their employment as a bus driver or contracted service provider.2. Were charged with a crime deemed serious under Pennsylvania School Code 24 PS 1-111.3. Have been charged or convicted of crimes that, even though not barred by state law, affect their suitability to have direct contact with children.
SC 111	

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4. Have background checks that demonstrate past conviction of misdemeanors or felonies.

This responsibility is in addition to the requirement for clearances that must be presented to the district when an individual is initially hired by the contract carriers.

The contract carriers shall have procedures in place to ensure that they are notified by their employees when the employees are charged with crimes. The procedures shall also include the provision that the failure on the part of the employee to make such a timely (within two (2) weeks) notification shall subject them to disciplinary action, which could include termination.

If any employees have been charged as stated in this policy, the transportation contractor or contract service provider shall, in its written notification, include the name of the employee, the nature of the offense and the status of the disposition. The district will review this information to determine if the employee shall continue to transport district students or to be in contact with students.

Failure to comply with this policy and the background check requirements by an independent contractor shall lead to cancellation of the contract.

The criminal history record information and the child abuse clearance statement shall not be required for a contractor's employees who have no direct contact with students.

References:

School Code – 24 P.S. Sec. 111

State Board of Education Regulations – 22 PA Code Sec. 8.1 et seq.

Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et. seq.

Board Policy – 610