



ThrivePoint
Academy of Nevada

Criminal History / Background Check Policy

General

It is the policy of ThrivePoint Academy of Nevada not to employ or to continue the employment of any school personnel. If deemed unsuited for service by reason of arrest and/or criminal conviction. While an arrest or conviction of a crime, in and of itself, may not be an automatic bar to employment, if an arrest or conviction relates to suitability of the individual to perform duties in a particular position, such person may be denied employment or in the case of current employees, may face disciplinary action, up to and including termination.

It is the policy of ThrivePoint Academy of Nevada to perform criminal history checks as required by Nevada law and to perform other types of background checks on employees or volunteers including, but not limited to:

1. Contacting prior employers for references;
2. Contacting personal references; and/or
3. Contacting other persons who, in the discretion of the District, could provide valuable information to the District.

Where a prior conviction is discovered, ThrivePoint Academy of Nevada will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which application is sought, or the person is employed. Any individual convicted of a felony offense shall not be hired.

If an applicant or employee makes any misrepresentation or willful omissions of fact regarding prior criminal history, such misrepresentation or omission shall be sufficient cause for disqualification of the applicant or termination of employment.

Initial Hires

In order to protect the health, safety and welfare of ThrivePoint Academy of Nevada students, all school employees, and Governing School Board members will be subject to criminal history checks. The list is to include, but is not limited to:

1. All school employees
2. Individuals involved in other types of student training such as practicums and internships; and
3. All individuals who have unsupervised contact with students.
4. Per NRS 388A.323, All members of the School Governing Board within 10 days of their appointment. A member of the School Governing Board is exempt if they are a licensed teacher or another person licensed by the Superintendent of Public Instruction (school counselor, school administrator, etc.).

A criminal history check shall be based on a complete ten (10) finger fingerprint card or scan and include, at a minimum, the following:

1. Nevada State Police Records, Communications, and Compliance Division;
2. Federal bureau of investigation (FBI) criminal history check; and
3. Statewide sex offender register.

Employees will be required to undergo a criminal history check within five (10) days of starting employment or unsupervised contact with students, whichever is sooner.

Employee Arrest or Conviction

All employees shall have the continuing duty to notify ThrivePoint Academy of Nevada of any arrest or criminal conviction that occurs subsequent to being hired by ThrivePoint Academy of Nevada. In the event that any employee, whether full-time or part-time, probationary or non-probationary, classified or certified, is arrested, charged or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions, he/she is required to report such arrest promptly to the employee's supervisor or department head within one (1) business day unless mitigating circumstances exist. This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including termination. Additionally, if an

employee has a protection order served against him/her, the employee shall follow the same reporting requirements as outlined above.

Supervisors or department heads shall contact the School Principal or designee upon receiving notification that an employee has been arrested or has a protection order served against him/her. ThrivePoint Academy of Nevada reserves the right to determine appropriate disciplinary action in such cases, up to and including termination, depending upon the facts and circumstances surrounding the incident.

It is the discretion of ThrivePoint Academy of Nevada to terminate or take other action against any employee that has either been convicted of one (1) or more of the felony offenses set or made a material misrepresentation or omission on their job application.

Volunteers

Any volunteer of ThrivePoint Academy of Nevada including but not limited to School Board Members, who have regular unsupervised access to students shall submit to a fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration for volunteering in the schools of ThrivePoint Academy of Nevada.

Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If a volunteer has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the School Principal, who shall decide whether the volunteer is suitable to be in the presence of the students at ThrivePoint Academy of Nevada. Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

Contractors

ThrivePoint Academy of Nevada maintains a safe environment for students by developing a system that cross-checks all contractors or other persons who have irregular contact with students against the statewide sex offender register.

Confidentiality

Outstanding warrants, criminal charges and/or protective orders may be confidential. An employee who is provided access to such information relating to another employee shall ensure that the information remains confidential. If an employee discloses such information without authorization, the employee shall be subject to disciplinary action.

NRS [388A.323](#) requires the members of the governing board to be fingerprinted within 10 days of appointment. The exceptions are for a licensed teacher or another person licensed by the Superintendent of Public Instruction (school counselor, school administrator, etc.). However, the other members of the board are required to be fingerprinted.