

**PROFESSIONAL STAFF CERTIFICATION  
AND CREDENTIALING REQUIREMENTS**

**(Fingerprinting Requirements)**

**New Hires**

All licensed personnel offered employment by the District, who have not been initially licensed within twenty-four (24) months of applying for employment, shall be required to provide fingerprint cards or electronic fingerprints for licensure in accord with state law. The public school shall pay the cost of obtaining fingerprint or criminal history records for the licensed personnel. A contractor or contractor's employee, or a school volunteer who will have unsupervised contact with children or students on school premises shall also be required to provide fingerprint cards or electronic fingerprints and may be required to pay the cost of obtaining fingerprint or criminal history records.

The candidate's fingerprints shall be submitted, along with the form presented as an exhibit to this policy, immediately upon being selected as a finalist for possible employment. The form shall be considered a part of the application for employment. Convictions of felonies or misdemeanors involving moral turpitude if directly related to employment which are contained in the criminal history investigation record shall be used to deny, suspend or revoke employment in accordance with the Criminal Offender Employment Act. However, if the conviction does not directly relate to employment, completion of probation or parole supervision or expiration of a period of three years after final discharge or release from imprisonment without subsequent conviction shall create a presumption of sufficient rehabilitation. Other information contained in the investigation record, if supported by independent evidence, may also form the basis for the employment decisions for good and just cause. A candidate's conviction of trafficking in controlled substances, criminal sexual penetration or related sexual offenses or child abuse regardless of rehabilitation shall warrant denial, suspension or revocation of employment. Records of arrest not followed by conviction or misdemeanors *NOT* involving moral turpitude may not be used, distributed or disseminated regarding public employment.

A person who makes a false statement, representation, or certification in any application for employment with the School District may be denied employment or terminated.

Reasons for a decision not to employ an individual based upon conviction of any indicated crime or misdemeanor involving moral turpitude shall be provided to the candidate. An appeal of denial, suspension or revocation of employment based upon the Criminal Offender Employment Act may be requested in accord with the grievance procedure provided in policy.

A person not directly involved in the employment decision affecting the specific applicant shall not be permitted unauthorized access to criminal history record information or background information. All fingerprint or criminal history records are to be confidential records and are to be maintained as personnel records in accord with the "Rights to inspect public records, exceptions."

The Superintendent shall report to the Public Education Department any known conviction of any felony or misdemeanor involving moral turpitude of School District personnel, or a school employee.

*Adopted:* September 15, 2021

LEGAL REF.: 14-2-1 NMSA  
22-10A-5 NMSA (1978)  
28-2-1 NMSA *et seq.*  
6.60.8.7 NMAC  
6.60.8.8 NMAC  
6.60.8.9 NMAC  
School Personnel Act (new section 1&2)

CROSS REF.: GBK - Staff Grievances  
GCF - Professional Staff Hiring  
GCG - Part-Time and Substitute Professional Staff  
Employment  
IJOC - School Volunteers