All adults working in Idaho public schools (**certificated and non-certificated**), or **applying for certification**, are currently required to have the results of a background investigation check on file with the State Department of Education. This process includes:

* Being fingerprinted on a State Department of Education fingerprint card
* Submitting fingerprint card & fee of $40+ to the Office of Certification
* Check is conducted through: (1) Idaho Bureau of Criminal Identification (BCI); (2) Federal Bureau of Investigation (FBI) background investigation check; (3) Statewide Sex Offender Register.
* **Clearing the criminal background check (no felonies as noted in section** **[33-130, Idaho Code](http://www3.state.id.us/cgi-bin/newidst?sctid=330010030.K" \t "_blank)**).
* All incomplete fingerprint cards will be returned for completion.

**All *Field Experience* students and Student-Teachers will be required to provide proof of Background checks through the service provided within their programs and schools. Each program may required a different type of background check.**

Such employees and other individuals shall pay the cost of the criminal history check. If the criminal history check shows that the employee has been convicted of a felony crime enumerated in section [33-1208](http://www.legislature.idaho.gov/idstat/Title33/T33CH12SECT33-1208.htm), Idaho Code, **it shall be grounds for immediate termination**, dismissal or other personnel action of the district, except that it shall be the **right of the school** district to evaluate whether an individual convicted of one (1) of these crimes and having been incarcerated for that crime shall be hired. **Provided however, that any individual convicted of any felony offense listed in section** [**33-1208**](http://www.legislature.idaho.gov/idstat/Title33/T33CH12SECT33-1208.htm)

Idaho Code, and **shall deny the application** for issuance of a certificate of a person who pleads guilty to or is found guilty of, notwithstanding the form of the judgment or withheld judgment, **any of the following felony offenses against a child**:

a.  The **aggravated assault** of a child, section [18-905](http://www.legislature.idaho.gov/idstat/Title18/T18CH9SECT18-905.htm), Idaho Code, or the assault with intent to commit a serious felony against a child, section [18-909](http://www.legislature.idaho.gov/idstat/Title18/T18CH9SECT18-909.htm), Idaho Code.

b.  The **aggravated battery** of a child, section [18-907](http://www.legislature.idaho.gov/idstat/Title18/T18CH9SECT18-907.htm), Idaho Code, or the battery with intent to commit a serious felony against a child, section [18-911](http://www.legislature.idaho.gov/idstat/Title18/T18CH9SECT18-911.htm), Idaho Code.

c.  The **injury or death** of a child, section [18-1501](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1501.htm), Idaho Code.

d.  The **sexual abuse** of a child under sixteen (16) years of age, section [18-1506](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1506.htm), Idaho Code.

e.  The **ritualized abuse** of a child under eighteen (18) years of age, section [18-1506A](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1506A.htm), Idaho Code.

f.  The **sexual exploitation** of a child, section [18-1507](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1507.htm), Idaho Code.

g.  **Lewd conduct** with a child under the age of sixteen (16) years, section [18-1508](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1508.htm), Idaho Code.

h.  The **sexual battery** of a minor child sixteen (16) or seventeen (17) years of age, section [18-1508A](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1508A.htm), Idaho Code.

i.  The **sale or barter** of a child for adoption or other purposes, section [18-1511](http://www.legislature.idaho.gov/idstat/Title18/T18CH15SECT18-1511.htm), Idaho Code.

j.  **The murder of a child**, section [18-4003](http://www.legislature.idaho.gov/idstat/Title18/T18CH40SECT18-4003.htm), Idaho Code, or the voluntary manslaughter of a child, section [18-4006](http://www.legislature.idaho.gov/idstat/Title18/T18CH40SECT18-4006.htm) 1., Idaho Code.

k.  The **kidnapping** of a child, section [18-4502](http://www.legislature.idaho.gov/idstat/Title18/T18CH45SECT18-4502.htm), Idaho Code.

l.  The importation or **exportation** of a juvenile for immoral purposes, section [18-5601](http://www.legislature.idaho.gov/idstat/Title18/T18CH56SECT18-5601.htm), Idaho Code.

m.  The a**bduction** of a person under eighteen (18) years of age for prostitution, section [18-5610](http://www.legislature.idaho.gov/idstat/Title18/T18CH56SECT18-5610.htm), Idaho Code.

n.  The **rape** of a child, section [18-6101](http://www.legislature.idaho.gov/idstat/Title18/T18CH61SECT18-6101.htm) or [18-6108](http://www.legislature.idaho.gov/idstat/Title18/T18CH61SECT18-6108.htm), Idaho Code.

**The general classes of felonies listed in subsection 2. of this section shall include equivalent laws of federal or other state jurisdictions. For the purpose of this subsection, "child" means a minor or juvenile as defined by the applicable state or federal law.**