

Insert to Employment Application
CRIMINAL HISTORY AFFIDAVIT
 Applicant/New Employee

Dear Applicant:

Most positions with the APSD involve contact with our student population. We ask that you provide the information on this form to help us evaluate your suitability to perform in this capacity. Pursuant to New Mexico State Statutes, all applicants for employment are expected to provide us with this information. *This insert is part of the application itself and any misrepresentation or omission of fact may be grounds for disqualification from further consideration or for termination of employment regardless of when the misrepresentation or omission is discovered.*

I, _____, being an applicant for, or having been offered a position with Artesia Public School District, and being duly sworn according to law, certify that this document is a true, accurate, and full disclosure of my personal and professional background history.

NOTICE: Failure to provide a written statement explaining in detail any criminal charges made against you at any time, even if you were told the charges were dropped or expunged, may be grounds for discharge or termination from the district.
 Your honesty is important.

The conviction of a crime or any affirmative answer provided by you on this insert is not an automatic bar to employment. The APS will consider the nature of any conviction or alleged conduct underlying the affirmative response and the position for which you are applying.

Section I (Check **ONE** of the following two statements)

- ☐ I certify that I am not awaiting trial, I have never been convicted of, and/or have never admitted committing any of the offenses described in this document in this state or any similar offense or offenses in any jurisdiction and that I have never been put on, and am not currently on probation in this jurisdiction or any other jurisdiction.
- ☐ I certify that the statements (see NOTE at bottom Section II) I attach to this form give a true, accurate, and full account of any offenses described in this document that I may have committed or been charged with in this state or any other jurisdiction.

Section II (Please check the appropriate "yes" or "no" box for the following questions)

1.	Are you presently being investigated or under a procedure to consider your discharge for misconduct by your present employer or if you offered a resignation, your previous employer?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.	Have you ever been reprimanded, disciplined, discharged, or asked to resign from a prior position?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.	Have you ever resigned from a prior position without being asked, but under circumstances involving your employer's investigation of sexual contact with another person, of mishandling of funds, or of criminal conduct?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.	Have you ever been convicted of a sex- or drug-related offense?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5.	Have you ever been charged with, or investigated for sexual abuse of another person?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6.	Have you ever been convicted of any crime involving sexual abuse of another person?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7.	Have you ever been convicted of a crime, other than a minor traffic offense; or ever entered plea of guilt or a plea of "no contest", or has any court ever deferred further proceedings without entering a finding of guilty and placed you on probation or in a public service or an education program for any crime other than a minor traffic offense?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

NOTE: If you have answered **YES** to any of the questions above, please attach sheet(s) explaining in detail. Include the date of the charge, the court action, the offense in question, the address of the court involved, and sign and date each sheet in the upper right corner.

The crimes referred to in this document include but are not limited to:

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|---|---|
| 1. Abandonment or abuse of a child | 16. Criminal sexual contact |
| 2. Sexual abuse of a minor | 17. Indecent exposure |
| 3. Incest of a minor | 18. Aggravated indecent exposure |
| 4. Sexual assault of a minor | 19. Aggravated assault of a minor |
| 5. Sexual exploitation of a minor | 20. Murder |
| 6. Sexual exploitation of a minor by prostitution | 21. Voluntary manslaughter |
| 7. Contributing to the delinquency of a minor | 22. Kidnapping |
| 8. Enticement of a child | 23. Arson |
| 9. Trafficking controlled substances | 24. Burglary or Robbery |
| 10. Distributing controlled substances to a minor | 25. Sale, delivery, display of sexually oriented material to minors |
| 11. Delivery to a minor of drug paraphernalia | 26. Prostitution |
| 12. A dangerous crime against a child/children | 27. Patronizing prostitutes |
| 13. Criminal sexual contact of a minor | 28. Promoting prostitution |
| 14. Molestation of a child | 29. Accepting earnings of a prostitute |
| 15. Criminal sexual penetration | 30. D.U.I./D.W.I |

I understand and agree that any offer of employment that I may receive, or have received, from the Artesia Public School District is conditioned by law upon the district's receipt of information pursuant to a fingerprint-based check of my personal and professional history. I further understand and agree that I may be terminated by the district immediately if any information contained in this affidavit is inaccurate or if any information received by the APSD is inconsistent with any statement made by me on this affidavit.

I authorize the Artesia Public School District to check my personal employment history, including without limitation, evaluations, criminal arrest and conviction records, reference checks, and release of investigatory information possessed by any private or public employer of any state, local, or federal agency. I expressly waive in connection with any request for or provision of such information, any claims, including without limitation, defamation, emotional distress, invasion of privacy or interference with contractual relations that I might otherwise have against the APSD, its agents and officials or any provider of such information.

I understand that all terms of employment or offer of employment are conditional until the required background investigation is complete. I have read this authorization and release of all claims, and expressly agree to the terms set forth herein.

(NOTE TO APPLICANT: A Notary Public **MUST witness your signature on this form. DO NOT SIGN BELOW UNTIL YOU ARE IN THE PRESENCE OF A NOTARY PUBLIC.**
Your application will not be considered complete without the seal of a Notary Public on this form. The APSD provides Notary Public services for applicants at 1106 West Quay, Artesia, New Mexico.)

Signature

Date

Printed Name

Social Security Number

DO NOT WRITE BELOW THIS LINE



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State of _____)

County of _____)

Subscribed and sworn to before me this _____ day of _____, 20_____.

My Commission Expires
(Seal)

Notary Public