

CRIMINAL RECORD CHECK

The Board shall request from the Superintendent of the Bureau of Criminal Identification and Investigation (BCII) criminal record checks of all candidates under final consideration for employment or appointment in the District. The BCII criminal record checks include information from the Federal Bureau of Investigation (FBI).

The Board may employ persons on the condition that the candidate submits to and pass a BCII criminal record check in accordance with State law. Applicants are given a separate written statement informing them that the Board will use a criminal record check as part of the initial hiring process and at various times during the employment career. This notice must be on a separate document which only contains this notice. The applicant's written authorization to obtain the criminal record check will be obtained prior to obtaining the criminal record check.

Prior to taking an adverse action against an applicant or employee (such as declining to employ, reassigning an employee, denying a promotion, suspension, nonrenewal or termination) based in whole or in part on a criminal record check, the applicant or employee is given a written pre-adverse action disclosure statement which includes a copy of the criminal record check and the Federal Trade Commission's notice entitled "A Summary of Your Rights Under the Fair Credit Reporting Act."

After taking an adverse action, the applicant or employee is given a written adverse action notice which includes the name, address and telephone number of the BCII, a statement that the BCII did not make the decision to take the adverse action and cannot give specific reasons for it, the individual's right to dispute the accuracy or completeness of any information furnished by the BCII and the individual's right to an additional free criminal record check from the BCII upon request within 60 days. Any person conditionally hired who fails to pass a BCII criminal background check shall be released from employment.

An applicant for employment may provide a certified copy of a BCII criminal background check to the District in compliance with State law. The District may accept this background check in place of its own background check if the date of acceptance by the District is within one year after the date of issuance by the BCII.

State law requires subsequent criminal records checks every five years for all school employees except bus drivers. For currently employed bus drivers, a new report is required every six years.

Teachers are required to submit to criminal record checks for initial licenses, certificates or permits at the time of application; at all applications for renewal of licenses, certificates or permits; and every five years if teaching under an eight-year professional teaching certificate or permanent teaching certificate.

Any and all information obtained by the Board or persons under this policy is confidential and shall not be released or disseminated. Criminal records checks are not public records for purposes of the Public Records Law. Any applicant not hired because of information received from the record check shall be assured that all records pertaining to such information are destroyed.

Volunteers

Current and prospective volunteers who have or will have unsupervised access to children on a regular basis will be subject to a criminal record check.

Revised: March 20, 2008

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.
ORC 109.57; 109.572 109.575
2953.32
3319.291; 3319.311; 3319.313; 3319.315; 3319.39
OAC 3301-83-06

CROSS REF.: EEAC, school Bus Safety Program
GBL, Personnel Records
GCD, Professional Staff Hiring
GCPD, Suspension and Termination of Professional Staff Members
GDD, Support Staff Hiring
GDPD, Suspension and Termination of Support Staff Members
IIC, Community Instructional Resources (Also KF)
IICC, School Volunteers
KBA, Public's Right to Know
LES, Student Teaching and Internships