

## CRIMINAL RECORD CHECK

The Columbia Board of Education shall request from the Bureau of Criminal Investigation (BCI) criminal record checks of any and all candidates who are considered under final consideration for employment with the school district. The BCI criminal record checks include information from the Federal Bureau of Investigation (FBI), unless the individual can demonstrate that he/she has been a resident of the state for the preceding five years and has previously been subject to a BCI check, in which case only a FBI check is required.

The Board may employ persons on the condition that the candidate submit to and pass a BCII criminal record check in accordance with State law. Any person conditionally hired who fails to pass a BCII criminal background records check is released from employment. Applicants are given a separate written statement informing them that the Board uses 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.

Persons whose service to the school district is interrupted through resignation must complete a criminal record check prior to re-employment.

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 will be given a written pre-adverse action disclosure statement which will include 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 will be given a written adverse action notice which includes the name, address and telephone number of BCI, a statement that BCI 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 BCII and the individual's right to an additional free criminal record check from 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 the Ohio Revised Code. 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. The District may also use background check results as maintained on the Ohio Department of Education database.

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.

Any and all information obtained by the Board or persons under this policy is confidential and shall not be released or disseminated. Any applicant not hired because of information received from the record check shall be assured that all records pertaining to such information are destroyed by the Columbia Local School District.

Volunteers

Current and prospective volunteers who have or will have unsupervised access to students on a regular basis may, at any time, be subject to a criminal record check.

The District notifies current and prospective volunteers who have or will have unsupervised access to students on a regular basis that a criminal records check may be conducted at any time.

Contractors

Criminal records checks are required for contractors who meet the following four criteria: (1) the contractor is an employee of a private company under contract with the District to provide “essential school services”; (2) the contractor works in a position involving routine interaction with a child or regular responsibility for the care, custody or control of a child; (3) the contractor is not licensed by ODE, and (4) the contractor is not a bus driver.

Adopted: April 16, 1990  
 Revised: November 20, 1991  
 Revised: August 24, 1994  
 Revised: July 21, 1999  
 Revised: March 17, 2010  
 Revised: June 19, 2013

LEGAL REFS.: Fair Credit Reporting Act 15 U.S.C. Sections 1681 et seq.  
 ORC 109.57; 109.572; 109.575; 109.576  
 2953.32  
 3301.074  
 3314.19; 3314.41  
 3319.088; 3319.089; 3319.22; 3319.222; 3319.29; 3319.291;  
 3319.303; 3319.304; 3319.313; 3319.315; 3319.39;  
 3319.391; 3319.392  
 3327.10  
 OAC 3301-83-06

CROSS REFS.: EEAC, School Bus Safety Program  
 GBL, Personnel Records  
 GCBB, Professional Staff Supplemental Contracts  
 GCD, Professional Staff Hiring  
 GCPD, Suspension and Termination of Professional Staff Members  
 GDBB, Support Staff Pupil Activity Contracts  
 GDD, Support Staff Hiring  
 GDPD, Suspension and Termination of Support Staff Members  
 IIC, Communication Instructional Resources (also KF)  
 IICC, School Volunteers  
 KBA, Public’s Right to Know  
 LEA, Student Teaching and Internships