

4000.7

Personnel

FINGERPRINTING, CRIMINAL HISTORY RECORDS AND EMPLOYMENT REFERENCE CHECKS

Each applicant for a position with the district shall be asked whether he/she has ever been convicted of a crime and whether there are any criminal charges pending against him/her at the time of application. Employees shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

Prior to hiring any person, the district shall make a documented good faith effort to contact previous employers of the person in order to obtain information and recommendations that may be relevant to the person's fitness for employment.

A. Criminal Records Check Procedure

Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) days from the date of employment. Each worker placed within a school under a public assistance employment program who performs a service involving direct student contact shall also be required to submit to state and national criminal record checks within thirty (30) days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:

1) No later than ten calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Shelton Police Department. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks.

2) No later than ten calendar days after the Superintendent has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Shelton Police Department. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

3) Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.

4) Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check.

5) Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.

B. Notice of Conviction

If, at any time, the Board of Education receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the Board shall send such notice to the State Board of Education.

C. Substitute Teachers

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1) If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.

2) If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district.

D. Policy Inapplicable to Operators of School Transportation Vehicles and Students Employed by the School District

1) This policy shall not apply to an operator of a school transportation vehicle who is already required to submit to a criminal history records check pursuant to Connecticut General Statutes § 14-44 (d).

2) This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

Legal References: Conn. Gen. Stat. § 10-221d. Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal.

Public Act 01-173, § 55, §56

Public Act 01-175, § 2

Public Act 02-136