

PERSONNEL

CRIMINAL HISTORY RECORDS CHECKS

All applicants for employment with the Board of Education will be required to state whether they have ever been convicted of a crime or whether criminal charges are pending against them at the time of their application. This includes all pending charges and convictions that occurred inside or outside of the state of Connecticut. Applicants may be asked to identify the approximate date, location, prosecuting authority and nature of each conviction or pending charge.

Applicants must also state if they are enrolled in a program of deferred adjudication (e.g. accelerated rehabilitation, pre-trial drug or alcohol education pursuant to Connecticut General Statutes §54-56g), and, if so, identify the jurisdiction in which such program is pending and provide an explanation of the nature of such program.

Applicants will not be required to disclose the existence of any arrests, criminal charges or convictions that have been erased pursuant to Connecticut General Statutes §§ 46b-146, 54-76o, or 54-142a which includes erasure of (a) a finding of delinquency or that a child was a member of a family with services, (b) an adjudication as a youthful offender, (c) a criminal charge that has been dismissed or nolle, (d) a criminal charge for which the applicant had been found not guilty, and (e) a conviction for which the applicant received an absolute pardon.

All public school employees are required to submit to state and national criminal history records checks within thirty (30) days from the date of employment. This requirement applies to workers who are placed within a school under a public assistance employment program and workers who are employed by a provider of supplemental service pursuant to the No Child Left Behind Act where such workers perform services involving direct student contact. In addition, at the discretion of the Superintendent, this requirement may apply to a person employed as a teacher for a noncredit adult class or adult education activity who is not required to hold a teaching certificate

In submitting to state and national criminal history records checks, employees will be required to provide fingerprints to the Federal Bureau of Investigation at the expense of the employee.

Fingerprinting and submission to state and national records checks does not apply to students employed by the school district where the student attends school.

Substitute teachers may satisfy the requirement for criminal history records checks by submitting to the Board the results of state and national criminal history records checks completed within the year prior to employment with the Board. The Board considers substitute teachers to be continuously employed for purposes of criminal history records check requirements as long as the Board employs him or her at least one day of each school year.

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

If the Board receives notice of a conviction of a crime which was not previously disclosed by the employee, the Board may (1) terminate the contract of a certified employee in accordance with the provisions of Connecticut General Statutes §10-151 or (2) dismiss a non-certified employee. Non-certified employees will be notified of the reason for the dismissal and be given an opportunity to file an answer to the dismissal, in writing, with the Board of Education. A copy of the notice of criminal conviction, the employee's answer and the notice of dismissal will be made part of the records of the Board in a manner consistent with state and federal law.

Notice of a conviction that is related to the employee's fitness for the job may also be grounds for termination of employment

A copy of any notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Department of Education or a person employed by a provider of supplemental services shall be sent to the State Board of Education.

Legal References: Connecticut General Statutes

- 29-17a. Criminal history records checks. Procedure. Fees
- 31-51i Employer inquiries about erased criminal record prohibited.
- 10-221d Criminal history records checks of school personnel