

## 4100

### **Employee/Volunteer Background Check**

Central City Public Schools reserves the right to conduct background checks of applicants for employment and volunteer purposes. This is done to ensure that individuals who join Central City Public Schools are well qualified, have a strong potential to be productive and successful, comply with their positions of trust, and have honestly presented their background and qualifications as outlined in the application materials.

#### **Central City Public Schools Standard Background Check**

The Superintendent's Office will initiate the Central City Public Schools standard background check for all faculty and staff (including temporary staff and volunteers) and serve as the primary liaison to the investigating agency. The Central City Public Schools standard background check will consist of the following:

1. County Criminal History Check for all Counties of Residence of the previous seven years: A criminal record search by name in all 93 counties in the State of Nebraska.
2. Social Security Number Verification and Trace: Verifies whether a social security number has been issued and compiles information on previous residence addresses and alias names associated to the social security number.
3. Address Verification
4. Sex Offender Registry Check: A search of the sex offender databases for all 50 states and the District of Columbia based on current legal name.
5. State Child Abuse Registry Check for Nebraska: A name-based search lists individual whose names appear on the Health and Human Services Child Abuse Registry for the State of Nebraska.
6. National Criminal Search: A current legal name-based search, supported by social security number, of more than 300 municipalities, counties and state facilities for criminal conviction records dating back as far as 1950.

#### **Central City Public School Comprehensive Background Investigation**

This is an enhanced level of investigation that is applicable to certain positions at Central City Public Schools. All positions classified at the management level and above will undergo the comprehensive background check. Employees with significant fiscal responsibility (disbursing checks, accounting functions, banking rights, etc.) are subject to this level of investigation as well. Employees working with sensitive information such as Human Resources, Financials, etc. are subject to a comprehensive

investigation at the time of hire and on an ongoing basis. Due to the level of responsibility and accountability, the additional investigations will be conducted:

1. Federal Criminal History

Central City Public Schools will conduct federal criminal history checks on employees and volunteers subject to this level of investigation (as outlined above). Individuals with a negative criminal background under this category will not be eligible for volunteering or employment.

2. Global Report

This is a search of designated sanctions that the government has put in place to stop terrorists, terrorist supporters, persons who have committed crimes against government programs, and many more. It also includes most wanted lists from the FBI and Interpol. Individuals with a negative background under this category will not be eligible for volunteering or employment.

- a. Terrorist Watch List
- b. Presidential Order 13220
- c. National Wants and Warrants
- d. OFAC
- e. Government Sanctions
- f. Foreign Diplomats
- g. Foreign Dignitaries
- h. Interpol Most Wanted
- i. FBI Most Wanted

3. Credit History

This search will reveal an applicant's debt load, payment history and any public record information (liens, judgments, bankruptcies). This information will be assessed to determine an individual's level of responsibility and potential motivations for misuse of funds. Furthermore, this report can confirm a subject's social security number, date of birth, residential addresses and former employers.

### **Criminal Records Verification**

The Superintendent's Office verifies the criminal record information provided on the Application for Employment for all finalist candidates. Building principals should contact the Superintendent's Office after the employment decision has been made, but before extending an offer so that the applicant's or volunteer's verification can be performed.

### **Release to Check Background**

All applicants for employment or volunteer positions must complete a standard release to check their background. In addition to the release, all applicants for employment or volunteer position must complete a Nebraska Health and Human Services Child Abuse release form. If the applicant does not complete the form, or if the form is filled out unsatisfactorily, an official offer should not be extended. Refusal to fill out or sign either form shall be considered a refusal to submit to the Criminal Background Check Policy. Individuals who refuse to submit to this policy will not be eligible for volunteering or employment at Central City Public Schools.

### **Action Upon Notification Adverse Background Investigation Applicants**

The Superintendent's Office will contact the building principal and inform him/her of candidate eligibility. Due to privacy concerns, the Superintendent's Office will not disclose specific reasons for ineligibility or disqualification.

### **Employee Rights**

If the background investigation was used as a basis for an adverse employment decision, the applicant or employee must be notified in writing and be allowed to view the investigation report. The Superintendent's Office shall mail via the US Postal Service First Class Mail and adverse action letter including the report furnished by the third party provider containing that third party's name and contact information for the purpose of the dispute.

### **Conditional Offers of Employment**

In certain critical or hard-to-fill positions, offers may be extended to applicants on a conditional basis before the investigation process is finished. Applicants with an adverse background or criminal records check will be terminated immediately upon receipt of the official results.

## **Disqualification of Employment**

A volunteer or candidate for employment may be disqualified for any of the following reasons:

1. Conviction of a criminal alcohol offense. Such conviction shall disqualify a person for not less than 2 years from the final date of the disposition of the most recent conviction (i.e. the day released from prison or probation would be the final date of disposition). Any person convicted of a subsequent alcohol offense may be deemed ineligible for employment.
2. Conviction of a criminal drug offense. Such conviction shall disqualify a person for not less than 4 years from the final date of the disposition of the most recent conviction (i.e. the day released from prison or probation would be the final date of disposition). Any person convicted of a subsequent drug offense will not be eligible for employment.
3. Conviction of a criminal theft or deception offense. Such conviction shall disqualify a person for not less than 7 years from the final date of the disposition of the most recent conviction (i.e. the day released from prison or probation would be the final date of disposition). Any person convicted of a subsequent criminal theft or deception offense will not be eligible for employment.
4. Any false statement of material fact in the application materials.
5. Membership, past or present, in an organization advocating the violent overthrow of the government of the United States.
6. Conviction of any felony or crime of involving moral turpitude.
7. Refusal to submit to a criminal record background check as required by the position.
8. Conviction of any act of violence.
9. Conviction of a misdemeanor domestic violence offense.
10. Any record found as "someone who has abused a child" with the State Health and Human Services Office.
11. Inability to verify an individual as who they represent themselves as.
12. Registration as a sexual offender.

## **Investigative Agencies – Approved Listing**

Employees – The designated 3<sup>rd</sup> party vendor for Central City Public Schools – One Source

Volunteers - The designated 3<sup>rd</sup> party vendor for Central City Public Schools – One Source

## **Definitions**

### **Criminal Record**

1. Conviction of a crime (any felony; such as aggravated assault; aggravated battery; rape; theft by taking; theft by deception; forgery in the first or second degree; murder and felony murder; criminal attempt that concerns attempted murder; robbery; armed robbery; or any offense committed in another jurisdiction which, if committed would be deemed to be such a crime without regard to its designation elsewhere);
2. Arrest, charge, or sentencing for a crime where: (a) a plea of nolo contendere was entered to the charge; )b) first offender treatment without adjudication of guilt pursuant to the charge was granted; or (c) adjudication or sentence was otherwise withheld or not entered on the charge; or
3. Arrest and being charged for a crime if the charge is pending, unless time for prosecuting such crime has expired (statute of limitations).

Adopted on: **July 16, 2007**

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