

Background Investigation

The Chief Education Officer (CEO) or his/her designee, shall conduct a thorough investigation into the past employment history, and other applicable background, of any person considered for employment with the school. This investigation shall be completed prior to making an offer of employment.

The CEO shall develop a background investigation protocol for use in completing a background investigation, and shall keep a written record of all background investigations which have been done.

As part of the application process, each applicant for a position 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. 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 immediate discharge from employment.

Criminal Records Check

Each person considered for employment by the CEO or the Board whose duties require regular contact with pupils must submit to a State and FBI Criminal Records Check. Persons regularly in contact with students means a person or persons who in the performance of his/her duties (1) comes in direct contact with pupils on a daily basis for any period of time, (2) meets regularly, e.g. once or twice a week, with students, including, but not limited to, an art, music, or physical education teacher, (3) a substitute teacher who comes in direct contact with pupils on a limited basis, or (4) any other person whom the administration believes, by virtue of their duties and contact with students, should appropriately undergo a criminal records check.

The CEO is responsible to establish all necessary internal procedures relative to the initiation and completion of the State and FBI criminal records check. Any person for whom the Board of Trustees requires a criminal records checks shall pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for the criminal records checks, unless otherwise determined by the Board.

Conditional Employment

Persons who have been selected for employment may be hired on a conditional basis, pending a successful completion of the State and FBI criminal records check. No selected applicant for employment shall be extended a conditional offer of employment until the CEO, or his/her designee, has initiated the formal state and FBI criminal records check process, and has completed a background investigation. Any person who is offered conditional employment, by way of individual contract or other type of letter of employment, will have clearly stated in such contract or letter of Law Reference: RSA 189:13-a, Technical Advisory – School Employee Background Investigation, Including a Criminal History Records Check, NH Department of Education, employment that his / her contract and continuation of employment is entirely conditioned upon the completion of a criminal records check which is satisfactory to the school.

 MAKING COMMUNITY CONNECTIONS CHARTER SCHOOL, MANCHESTER, NH

 CRIMINAL RECORDS CHECK

GBCD

All persons employed under a conditional offer of employment may be covered under the school's health insurance program, at the sole discretion of the Board, and in accordance with Board policies and/ or collective bargaining agreements, if applicable. However, any such coverage will immediately cease, and will not be subject to extension under COBRA, if the Board does not tender the person a final offer of employment by reason of application of this Policy.

Final Offer of Employment

A person who has been extended a conditional offer of employment may be extended a final offer of employment upon the completion of a criminal records history check which is satisfactory to the Board.

No person with a conditional offer of employment shall be extended a final offer of employment if such person has been **charged pending final disposition for, or convicted of the following offenses, as referenced in RSA 189:13-a, V.:** (1) **murder Capitol Murder (RSA 630:1), First Degree Murder (RSA 630:1-a), Second Degree Murder (RSA 630:1-b), or Manslaughter (RSA 630:2),** or (2) **child pornography (RSA 649-A:3), Possession of Child Sexual Abuse Images (RSA 649-A:3-a or -b), Computer Pornography and Child Exploitation Prevention (RSA 649-B:3), Certain Uses of Computer Services Prohibited (RSA 649-B:4), or Obscene Matter Offences (RSA 650:2),** or (3) **aggravated felonious sexual assault (RSA 632-A:2), (4) felonious sexual assault (RSA 631-A:3), or sexual assault (RSA 632-A:4), or (54) kidnapping (RSA 633:1), or (5) Incest (RSA 639:2), or (6) Endangering the Welfare of a Child (RSA 639:3), or (7) Indecent Exposure or Lewdness (RSA 645:1 II or III), or (8) Prostitution and Related Offences (RSA 645:2), or (9) manufacturing, selling, administering, dispensing or distributing a controlled substance(s) on school property, or (710) sexual misconduct within an education setting in this State; or where such person has been convicted of the same conduct in another state, territory, or possession of the United States, or where such person has been convicted of the same conduct in a foreign country.**

The CEO shall make an individual determination to extend or deny a final offer of employment to any person who's criminal records check includes a conviction for any felony not included above, or any misdemeanor.

When the school receives a criminal records check on a particular person which it finds unsatisfactory, the directors shall dismiss said person within twenty four hours (24) of the receipt of such a report, excluding Saturdays, Sundays, or legally recognized holidays.

Additionally, a person may be denied a final offer of employment if the director becomes aware of other conduct which he or she determines would render the person unsuitable to perform the responsibilities of the position involved. Such determinations shall be made on a case by case basis.

Additional Criminal Records Checks

The Board of Trustees may require a criminal records check of any employee at any time. Law Reference: RSA 189:13-a, Technical Advisory – School Employee Background Investigation, Including a Criminal History Records Check, NH Department of Education, Law Reference: RSA 281-A: 60, III, RSA 200:40, ED. 306.10(a)(2)(d)

Revision Status:

Date Adopted: JULY 16, 2012

Revision History:

- JUNE 18, 2018 [List of prohibited felonies updated, add CEO discretion for misdemeanors or other felonies.]

Last Review Date: June 2018