

BACKGROUND INVESTIGATION AND CRIMINAL RECORDS CHECK FOR PROSPECTIVE EMPLOYEES

Background Investigation

The superintendent, or his/her designee, shall develop a background investigation protocol for conducting an investigation into the past employment history, and other applicable background, of any person considered for employment with the school district. This investigation shall include a current State and FBI Criminal Records Check, at the applicant's expense, and it must be completed and reviewed prior to making a final offer of employment. A written record documenting the completion of every background investigation will be kept in the SAU 50 office.

In addition, as part of the application process, each applicant shall be asked whether:

- he/she has ever been convicted of a crime;
- there are any criminal charges pending against him/her at the time of application;
- if he/she has ever been found by any court or administrative agency to have abused or neglected a child or elder;
- if he/she has been convicted of a crime which has not been annulled or pardoned by the court.

If the applicant falsifies or omits of any information on an application or during an interview, including but not limited to, information concerning criminal matters, he/she may be disqualified from the application process or immediately discharged from their position.

Conditional Employment

Any applicant may be extended a conditional offer of employment after the successful completion of the interview process, the background investigation, and the initiation of the formal State and FBI Criminal Records Check process. This offer of employment is conditional upon the satisfactory results of the applicant's State and FBI Criminal Records Check.

Prior to accepting a final offer of employment, an applicant must work under the supervision of the building administrator and/or designee at all times that children are in the school building.

Final Offer of Employment

The applicant may be extended a final offer of employment upon the successful completion of the interview process, the superintendent or designee's satisfactory findings upon completion of the applicant's background investigation, and the State and FBI Criminal Records Check.



No applicant who has been found by any court or administrative agency to have abused or neglected children or elders, or who has charges pending or has been convicted of the following offenses shall be hired by the school district:

- murder
- child pornography
- assault
- aggravated felonious sexual assault
- felonious sexual assault
- kidnapping, sexual misconduct
- manufacturing, selling, administering, dispensing, or distributing any controlled substance(s)
- sexual misconduct

under any statute prohibiting the same conduct in another state, territory, or possession of the United States, or foreign country.

The superintendent, or his/her designee, will dismiss within 24 hours (excluding weekends and legal holidays), any conditional employee once the district receives notice of confirmation of a felony conviction from the state police.

The superintendent, or his/her designee, may also deny an applicant a final offer of employment if the applicant has charges pending or has been convicted of any felony in addition to those listed above.

A person may also be denied a final offer of employment if the superintendent becomes aware of other conduct which he/she determines would render the person unsuitable to perform the responsibilities of the position involved. Such determinations will be made on a case-by-case basis.

The board may require a criminal records check of any employee at any time.

Legal References:

RSA 189:13-a, *School Boards, Superintendents, Teachers, and Truant Officers; School Employee and Volunteer Criminal History Records Check*

NH Department of Education Technical Advisory, *School Employee Background Investigation, Including a Criminal History Records Check*, adopted July 1997

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