



# ADMINISTRATIVE PROCEDURE

## CRIMINAL HISTORY CHECKS

4215

Procedure No.

2006

Date

**I. PURPOSE:** To provide procedures to clarify the process of criminal background checks and fingerprinting for potential employees and volunteers.

**II. DEFINITIONS:**

A. Commercial Background Check

Commercial Background Checks completed through PGCPS involve a comprehensive court records search throughout a state or states, based on written information provided by the applicant under penalty of perjury. No fingerprints are taken. The results of any arrests or charges come back in 24 to 48 hours. Volunteers, chaperones and mentors must obtain Commercial Background Checks through PGCPS on an annual basis.

B. Fingerprint Background Check

Fingerprint Background Checks that must be completed through PGCPS involve a full fingerprint supported criminal records check through CJIS (Criminal Justice Information System), a Maryland State Department. Criminal background results are received by PGCPS from the State of Maryland and FBI in approximately two to three months. Employees and volunteers only need to undergo the full Fingerprint Background Check one time, subject to the exceptions provided in Section III. B. and H. of this Procedure.

**III. PROCEDURES:** All applicants for a position with Prince George's County Public Schools (PGCPS) must be fingerprinted and have a background investigation initiated before starting work in PGCPS. If an applicant is transferring from another school system, or claims that they have previously submitted fingerprints for another employer, they may, or may not be eligible to transfer their clearance to PGCPS.

**A. RETIRE/REHIRE:**

1. Employees who were originally hired within PGCPS prior to October 1, 1986 are considered "grandfathered" and are therefore exempted from the fingerprinting requirement for the duration of their employment with PGCPS.

Any "grandfathered" employee who retires from PGCPS and who is subsequently rehired in any capacity within PGCPS must undergo a Fingerprint Background Check before returning to work for PGCPS. This is true, even if the time lapse from retirement to time of rehire is only one (1) day.



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2. Any “grandfathered” employee who was fingerprinted for childcare while employed with PGCPS and who subsequently retired, is not required to be re-fingerprinted or undergo a new background check provided that the time lapse from retirement to re-employment is less than 365 calendar days and the fingerprinting event that was conducted listed PGCPS as the Agency of Record.

**Example:** A person, who while employed with PGCPS, was fingerprinted so that he/she could substitute as a substitute teacher within another school system, or perform coaching duties for a Parks and Recreation Facility, would still be required to be fingerprinted for PGCPS before being permitted to be rehired, unless they can produce documentation that they have undergone a background check in the State of Maryland within 180 days.

#### B. CURRENT EMPLOYEES:

1. Any current employee who was hired before October 1, 1986 is “grandfathered” and therefore, not required to submit fingerprints. If such an employee has any break in service that results in a rehire, the employee must undergo a Fingerprint Background Check before returning to work for PGCPS. This is true, even if the time lapse from resignation to time of rehire is only one (1) day.
2. Any current employee hired after October 1, 1986 who was never fingerprinted is required to contact the Fingerprinting Office and schedule an appointment to have his or her fingerprints taken.

#### C. SUBSTITUTE TEACHERS:

1. All persons hired as a Substitute Teacher will be fingerprinted and complete a Fingerprint Background Check form on or before their first day of employment.
2. Any substitute teacher that was previously fingerprinted for childcare at a school district other than PGCPS may or may not be eligible to transfer their clearance to PGCPS. (See section on Employees Returning and Those Previously Fingerprinted)
3. Any substitute teacher hired by PGCPS that subsequently remains listed as an available substitute for a period longer than 365 days AND does not teach within that period of time must be fingerprinted again and a



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new Fingerprint Background Check must be initiated before the substitute can be employed again by PGCPS.

D. **COACHES (Paid and Unpaid):** All coaches, coaching assistants and any others assisting in an athletic program will be fingerprinted and complete a Fingerprint Background Check form before participating in any form of activity within the school.

E. **INTERNS AND STUDENT TEACHERS:**

1. Student Teachers and Interns not paid in any capacity by PGCPS are still required to be fingerprinted and undergo a Fingerprint Background Check investigation by PGCPS.
2. Those who may be interested in applying for employment with PGCPS upon completion of their internship AND who were previously fingerprinted may fall under the section entitled: "Employees Returning and Those Previously Fingerprinted."

F. **INDEPENDENT CONTRACTORS AND OUTSOURCED AGENCY EMPLOYEES:**

1. Those that are paid outside the school payroll system that have uncontrolled access to children will be fingerprinted and complete a Fingerprint Background Check.
2. Independent Contractors/Subcontractors: Those hired and paid outside the school system where no uncontrolled access is anticipated do not need to be fingerprinted. Example: construction workers. However, PGCPS may require such personnel who will be working on school grounds in such a capacity to undergo a Commercial Background Check. Each contracted employee will complete the Background Check Application form and Authorization and Release for the Procurement of an Investigative Consumer Report. The cost for such report is absorbed by the applicant/contractor/subcontractor, unless the contract negotiated between PGCPS and the agency dictates otherwise.
3. Outsourced Staffing: Personnel working within PGCPS through an agency such as Kelly, or Account Temps will be processed as follows:
  - a. Those that are paid outside the school payroll system that have uncontrolled access to children or who are assigned duties in a school where unsupervised contact with children is likely, are



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required to be fingerprinted and will complete the fingerprint background process.

- b. Those who are paid outside the school payroll system that will work at facilities where no contact with children is anticipated are not required to be fingerprinted, however, will complete the Background Check Application form and Authorization and Release for the Procurement of an Investigative Consumer Report. A Consumer Investigative Report will be prepared on each of these employees. The cost for such report is absorbed by the applicant/employee unless the contract negotiated between PGCPS and the agency dictates otherwise.

#### G. VOLUNTEERS, CHAPERONES, AND MENTORS:

1. Volunteers and mentors working in a capacity where uncontrolled access is anticipated, such as those working with students in an unsupervised capacity on school grounds, off of school property, or after school are required to be fingerprinted and complete a full Fingerprint Background Check and form.
2. Volunteers working in a capacity where no uncontrolled access is anticipated on a one time basis only, or on a sporadic basis, do not need to be fingerprinted, i.e. parents volunteering for career day, book fairs, school dances, or other one time events.
3. Parents and volunteers who volunteer in a classroom on a regular basis in a supervised setting must obtain a Commercial Background Check through PGCPS on an annual basis.
4. Chaperones who will participate in a day field trip or an overnight school trip are considered to be volunteers and must undergo a Commercial Background Check initiated by PGCPS through the Fingerprinting Office before performing duties.

#### H. EMPLOYEES RETURNING AND THOSE PREVIOUSLY FINGERPRINTED:

1. Any person formerly employed by PGCPS who was previously fingerprinted by PGCPS and applies for rehire is not required to be fingerprinted if the break in service is less than 12 months.



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2. Any person formerly employed by PGCPS with a break in service of more than 12 months must be fingerprinted and undergo a complete Fingerprint Background Check.
3. Any applicant who was previously fingerprinted for "Child Care" for another school system is required to be fingerprinted and undergo a complete Fingerprint Background Check investigation if the previous investigation (fingerprinting date) is older than six (6) months (180 calendar days).
4. Any applicant who was previously fingerprinted for "Child Care" for another school system and underwent a background investigation less than 180 days before being offered employment by PGCPS may be eligible to transfer their clearance to PGCPS. The applicant is required to appear in person at the PGCPS Fingerprinting Office and complete a 180-day transfer form.

#### I. PRINCE GEORGE'S COUNTY POLICE OFFICERS, SHERIFFS OR OTHER MUNICIPAL OFFICERS PERFORMING SCHOOL SECURITY DUTIES AS SECONDARY EMPLOYMENT IN POLICE UNIFORM:

1. Those personnel assigned to fulfill law enforcement duties as SROs within PGCPS by the Prince George's County Police Department, Sheriff's Department, or other Municipal Department and paid by that agency are not required to be fingerprinted by PGCPS while performing duties as SRO.
2. Prince George's County Police Officers, Sheriff's Department, and other Municipalities who perform additional security related duties for PGCPS in the area of school security, event security, or related functions in police uniform, and are paid by PGCPS are not required to undergo any additional background check process other than those requirements already imposed by the Prince George's County Police Department, the Sheriff's Department, and other Municipalities. The Safe Schools Coordinator is required to notify PGCPS when an officer has retired, resigned, or is no longer eligible to perform these duties imposed by their department.
3. Prince George's County Police Officers, Sheriff's, and other Municipalities who wish to perform other paid duties within PGCPS not related to school security, e.g. coaching or substitute teaching, must



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comply with the fingerprinting and background check requirements for the desired position.

#### **IV. REPORTING AND MONITORING PROCESS**

It shall be the primary responsibility of school Principals to ensure that any volunteer, chaperone, or parent working at your school has completed the requisite background check under this Procedure, and Principals must require a receipt documenting completion of the requisite background check.

In the event PGCPS' Fingerprinting Office determines there is a pending charge, conviction, or other concern disclosed through a background check, the Fingerprinting Office shall immediately notify the Regional Assistant Superintendent of the charge, conviction or concern.

As a general guideline, in the event volunteers, chaperones, or mentors have charges, convictions or concerns that would render them ineligible for employment by PGCPS, they would also not be eligible to serve as volunteers working with students.

The Regional Assistant Superintendent shall have responsibility for contacting the volunteer, chaperone or mentor to advise them of their ineligibility to provide volunteer services to PGCPS. Strict confidentiality must be maintained of all information disclosed through any Fingerprint Background Check or Commercial Background Check.

#### **V. RELATED BOARD POLICIES, PROCEDURES, AND REGULATIONS:**

Board Policy 0106, Volunteer Services; Administrative Procedure 4216.6, Volunteer Services; Annotated Code of Maryland, Family Law Article § 5-561 and § 5-562.

#### **VI. MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This Administrative Procedure originates with the Office of General Counsel and will be updated as needed.

#### **VII. CANCELLATIONS AND SUPERSEDURES:** None. This is a new Administrative Procedure.

#### **VIII. EFFECTIVE DATE:** January 1, 2007.

John E. Deasy  
Chief Executive Officer

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