



Book	BYLAWS AND POLICIES
Section	4000 CLASSIFIED STAFF
Title	CRIMINAL HISTORY BACKGROUND CHECK
Number	4121
Status	Active
Legal	I.C. 20-26-5-10 I.C. 20-26-5-10.5 I.C. 20-26-5-11 I.C. 20-28-5-8(c)
Adopted	November 17, 2020

1) Applicants and Contractors

To provide the safest learning environment possible and to facilitate the hiring of individuals suitable for substantial contact with children, Edison School of the Arts shall obtain an expanded criminal history check and an expanded child protection index check on every applicant for employment with IPS in accordance with Indiana statute.

At the time an applicant is offered employment with Edison School of the Arts, the applicant must:

- a. submit to an expanded criminal history check and an expanded child protection index check, conducted by a vendor selected by Edison School of the Arts, at a cost incurred by the applicant;
- b. sign an authorization form which allows Edison School of the Arts to review the criminal history report;
- c. submit any other legal document as required by state statute.

All offers of employment are made conditional upon Edison School of the Arts receipt of confirming criminal history information.

For purposes of this policy, "applicant" means any individual who is applying for employment with Edison School of the Arts or is seeking - or employed by an entity seeking - to enter into a contract to provide services to Edison School of the Arts and who, in the position sought, is likely to have direct, ongoing contact with Edison School of the Arts students. An individual employed by an entity contracted to provide services to Edison School of the Arts may be required to provide the

individual's expanded criminal history check and expanded child protection index check to the school corporation upon its request. "Applicant" does not include a current employee who is applying for another position within Edison School of the Arts except for the following positions: police officer, bus driver and bus attendant.

The **expanded criminal history check** should be conducted prior to the individual beginning employment with the school and must be obtained no later than thirty (30) days after the start date of the applicant's employment. The **expanded child protection index check** should be conducted prior to the individual beginning employment with the school and must be obtained no later than sixty (60) days after the start date of the applicant's employment.

Edison School of the Arts is prohibited from hiring an individual who has been convicted of an offense which requires the revocation of a license under state law, unless the conviction has been reversed, vacated, or set aside on appeal, and may choose not to employ or contract with an individual convicted of an offense as outlined in I.C. 20-26-5-11(b).

Each individual applicant will be questioned about the individual's expanded criminal history check and the expanded child protection index check. An applicant's failure to honestly answer any question related to an expanded criminal history check or the expanded child protection index check will be cause for withdrawal of an offer of employment and will be grounds for termination of employment. Edison School of the Arts may request from any law enforcement agency criminal history information concerning any applicant for employment.

Any information obtained from any criminal history check and an expanded child protection index check is confidential and shall not be released or disseminated except as required by law.

2) **Employees**

To ensure the ongoing safety of students, Edison School of the Arts will conduct an expanded criminal history check on every employee of the school once every five (5) years. The Executive Director, CEO shall determine the schedule for conducting the expanded criminal history checks on school employees. The school may also conduct an expanded child protection index check on each employee every five (5) years. The school will be responsible for the costs of obtaining the expanded criminal history check and expanded child protection index checks on all employees.

The school may conduct an expanded criminal history check on an employee when the school has reason to believe the employee has been convicted of or charged with certain crimes enumerated in state law or an expanded child protection index check when the school has reason to believe the employee is the subject of a substantiated report of child abuse or child neglect.

Each employee may be questioned about the individual's expanded criminal history check and expanded child protection index check. Failure to answer honestly any questions related to the expanded criminal history check or the expanded child protection index check may be grounds for termination of the employee.

Any information obtained from any criminal history check and an expanded child protection index check is confidential and shall not be released or disseminated except as required by law.

3) Employment References

School officials shall communicate with all of the employment references and the most recent employer (if provided) of the applicant recommended for employment prior to the applicant being hired by the school.

Notwithstanding any confidentiality agreements, the school corporation shall disclose any known incidents of substantiated abuse or neglect committed by a current or former employee in response to a request for an employment reference from another school.

4) Notice of Conviction

All employees of Edison School of the Arts and employees of entities that have contracts to provide services to Edison School of the Arts, are required by law to notify the school, during the course of employment, if the employee is convicted in Indiana or in any other jurisdiction of any of the following offenses: murder; causing suicide; assisting suicide; voluntary manslaughter; reckless homicide; battery; aggravated battery; kidnapping; criminal confinement; a sex offense under I.C. 35-42-4; carjacking; arson, incest; neglect of a dependent; child selling; contributing to the delinquency of a minor; an offense involving a weapon under I.C. 35-47 or I.C. 35-47.5; an offense relating to controlled substances under I.C. 35-48-4; an offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3; an offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5; an offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction; or an attempt to commit one of the foregoing crimes. The Executive Director, CEO, or designee, is responsible for implementing procedures to notify employees, including volunteers, and contracting entities of this duty and of the procedures for providing the required notice.