

BOARD POLICIES	<b>CRIMINAL RECORDS SEARCHES (BP-7019)</b> METRO TECHNOLOGY CENTERS	<b>The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.</b>
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### 1.0 POLICY:

It shall be the policy of Metro Technology Centers (“technology center”) that it will obtain the results of a national criminal history record check (“record check”), as defined by OKLA. STAT. tit. 74, §150.9, of every prospective technology center employee and conduct an annual search of the Oklahoma Sex Offender and Mary Rippy Violent Crime Offender Registries with respect to all employees who offer or provide services to children, including but not limited to secondary students.

The provisions of this policy shall not apply to technology center employees hired on a part-time or temporary basis for the instruction of adult students only.

#### Felony Record Search of Prospective Employees:

During the first interview with each employment applicant, technology center will advise the applicant that:

1. Technology center requires a record check of every prospective employee as a condition of employment;
2. To enable technology center to request the search and obtain the results, the applicant must complete and sign an Authorization and Release form provided by technology center;
3. Technology center will only request a felony record search if the superintendent recommends employment of the applicant;
4. If the superintendent recommends employment of the applicant, the applicant must pay the search fee, which will not exceed \$50;
5. Technology center will reimburse the applicant for the search fee unless the search discloses a prior felony offense conviction;
6. If the superintendent recommends employment of the applicant, the applicant must permit himself/herself to be fingerprinted, if applicable, provide a social security number and provide any other information necessary to facilitate the felony record search; and
7. The applicant, if placed on duty prior to receipt of the felony search results, will be classified as a temporary employee until technology center is notified that the search is clear of any felony conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant. All felony record searches will be made in compliance with the Federal Fair Credit Reporting Act.

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If the results of the record check are not received by the technology center within sixty (60) days, if the record check reveals a prior felony offense conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant, or if the record check reveals a false response to one or more of the questions on the Authorization and Release, the applicant shall be deemed to have resigned his or her employment. Such resignation may be accepted by the board of education at any time. Under these circumstances, the applicant waives any due process procedures which might be available under federal and state law and technology center policies and procedures. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the technology center.

Felony Record Searches of Employees:

Technology center will also request a record check of the name, fingerprints, social security number or other relevant information of any current technology center employee if the Board of Education or superintendent requests a search of that employee's felony record.

Felony Record Searches of Substitutes:

Technology center may, in its discretion, require a national criminal history record search for substitutes of the same type and using the same standards applicable to prospective employees, or it may obtain a current records search, if available, from a school district that employed the substitute in the year immediately preceding prospective employment by technology center. Likewise, any person seeking employment as a substitute who has been employed as a full-time teacher by a school district in the State of Oklahoma in the five (5) years preceding application for employment as a substitute, is not required to obtain a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was last employed stating the teacher left in good standing. Similarly, any person seeking employment as a substitute who has been employed as a full-time teacher by the technology center for ten (10) or more consecutive years immediately preceding application for employment as a substitute and who left full-time employment with the technology center in good standing is not be required to have a national criminal history record check for as long as the person remains employed as a substitute for consecutive years by the technology center.

Annual Search of Sex Offender and Violent Crime Offender Registries:

Pursuant to OKLA. STAT. tit. 57, § 589, the technology center shall conduct an annual name search against the Oklahoma Sex Offenders Registry and the Mary Rippy Violent Crime Offenders Registry of all Technology center employees who provide or offer services to secondary students and children.

**2.0 CROSS REFERENCE: N/A**

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**3.0 REVISION HISTORY:**

<u>Date:</u>	<u>Revision</u>	<u>Description of Revision:</u>
12-Nov-90	A	Adopted
08-May-95	B	Revised
22-Sep-03	C	Reformatted
15,-Dec-03	D	Legal references reviewed and revised as necessary
07-May-13	E	Blanket approval granted by Board of Education to update all policies to approved format and to remove two sections: 2.0 Legal Reference and 5.0 PCF Framework

**\*\*\* End of Policy \*\*\***