SULLIVAN SCHOOL BOARD POLICY

Policy GBCD: Background Investigation and Criminal Records Check

The Sullivan School District is recognized as a sending district. As such, the School Board does not operate schools or have school district employees. The administration may retain independent contractors to provide education and related services to resident students with the following safeguards in place. In accord with RSA 189:13-a, this policy applies to school administrative unit #96 employees, designated volunteers,[1] and to individuals who Sullivan School District or SAU #96 contract with to provide services to, or to supervise, students residing in the Sullivan School District. Parents/guardians who seek to volunteer in schools that their children are attending must comply with the policies and procedures for that particular school/school district.

1. Review. The Superintendent or designee shall conduct a review of the employment history and any other background information relevant to providing services to resident students. As part of this review, the applicant or independent contractor shall be asked whether he/she has ever been convicted of any crime which has not been annulled and whether there are any criminal charges pending against him/her.

2. Background check. An independent contractor shall provide the following:
    a. Documentation of a recent satisfactory criminal history records check to the Superintendent or designee or,
    b. Submit a criminal history records release form along with a full set of fingerprints, as provided by the state or local police, authorizing the criminal history records check process, with the results released to the superintendent or designee.

Applicants for employment within the SAU Office shall have a background check, including a criminal history records check, prior to a final offer of employment. The SAU may extend a conditional offer of employment to a selected applicant, with a final offer subject to a successfully completed criminal history records check.

3. Initiation of services. The employment or contracted service shall not begin until the Superintendent or designee has received documentation of a satisfactory criminal background check or the formal criminal history records check process has been initiated. Final offers shall not be extended until the completion of the criminal history records check.

4. Results of Criminal History Records Check. The results of the criminal history records check shall be delivered to the Superintendent or designee and shall be maintained as confidential in accord with RSA 189:13-a.
    a. If the results of the records check disclose no criminal record, the results and information shall be destroyed following review by the Superintendent or designee. Destruction shall occur within 60 days of receipt of the results.
    b. If the results of the record check disclose that the applicant or independent contractor has either been convicted or is charged pending disposition of a violation or attempted violation of a RSA 189:13-a, V ("Section V offense"), the contract will be terminated and the department of education shall be notified.

[1] The Superintendent is authorized to designate individuals who come into direct contact with students and who is assigned by the Sullivan School District or SAU office to volunteer.

c. Non-Section V Offenses. The Superintendent may terminate an offer of employment or contract based upon convictions or charges of other misdemeanors or felonies, if termination is the best interests of the students and the District.

5. Training. The independent contractor shall provide documentation of education and training concerning child sexual abuse prevention, sexual assault and harassment policy training, warning signs of child abuse, and reporting mandates. Such training shall be completed within thirty days of service and renewed every two years.

6. The Superintendent or designee shall take steps to assure that contractor agreements include a provision to complete criminal history records check and comply with the training and information as required in RSA 189:13-a.

7. The cost for criminal history records checks shall be borne by the contractor.

8. The falsification or omission of information concerning criminal convictions or pending criminal charges, shall be grounds for immediate disqualification from consideration for employment, withdrawal of any offer of employment, immediate discharge from employment, or immediate termination of a contract.

Legal References: RSA 189:13-a, School Employee and Designated Volunteer Background Criminal History Records Check

Attachment: NH Dept of Safety Division of State Police Criminal History Record Release

First Reading: 7/10/2024

Second Reading: 8/14/2024

Adopted: 8/14/2024

New Hampshire Department of Safety

DIVISION OF STATE POLICE

Central Repository for Criminal Records
33 Hazen Drive, Concord, NH 03305

CRIMINAL HISTORY RECORD RELEASE FORM

SCHOOL EMPLOYEE/VOLUNTEER CRIMINAL HISTORY RECORD CHECK – RSA 189:13-A

I hereby authorize the New Hampshire Department of Safety, Division of State Police to notify the Superintendent/Chief Executive Officer of an employing school administrative unit, school district, chartered public school, public academy, or non-public school of the presence of any Felony and/or Misdemeanor Criminal History Record Conviction pursuant to RSA 189:13-a.

CHRI RELEASED TO:
SAU 96 Sullivan School District
Name of SAU
Kim M. Caron, Superintendent
Superintendent/Chief Executive Officer
PO Box H, Keene, NH 03431
Address

SAU # SAU 96 Sullivan School District

Employee [X] * contracted service

Volunteer [ ]

Prepaid Account Number_____

CHRI TO BE REQUESTED ON:

Name:_____
LAST (MAIDEN) FIRST MI

Address:_____
STREET CITY STATE ZIP

Date of Birth:____/____/____ Social Security # (optional):____/____/____

By signing below you are certifying that you are the individual listed above and that the information provided is true under penalty of forgery and/or unsworn falsification.

Releasee's Signature: _____ Date:____/____/____

Notary's Signature: _____ Date:____/____/____
(Affix seal)

RECORD CHALLENGE

Saf-C 5703.12 Procedure for Correcting a CHRI **(a) Persons or their attorneys desiring access to their CHRI for the purpose of challenge or correction shall appear at the central repository. (b) A copy shall be provided to a person if after review he/she indicates he/she needs the copy to pursue the challenge. (c) Any person making a challenge shall identify that portion of his/her CHRI which he/she believes to be inaccurate or incorrect, and shall also give a correct version of his/her record with an explanation of the reason that he/she believes his/her version to be correct. (d) The director shall take the following actions within 30 days of receipt of challenge: (1) Review the records and contact the law enforcement agency or court which submitted the record to compare the information to determine whether the challenge is valid; (2) If the challenge is valid, which means there is a discrepancy between the information submitted and the information maintained by the law enforcement agency or court, the record shall be corrected and the person and appropriate CJAs shall be notified; and (3) If the challenge is invalid, the person shall be informed and advised of the right to appeal pursuant to RSA 541. (e) When a record has been corrected, the division shall notify all non-criminal justice agencies, to whom the data has been disseminated in the last year, of the correction.(f) The person shall be entitled to review the information that records the facts, dates, and results of each formal stage of the criminal justice process through which he passes, to ensure that all such steps are completely and accurately recorded**

WARNING: The Division of State Police is the Criminal Record Repository for the State of New Hampshire. The record you have received is based only on what has been reported to the Repository and may not be a complete Criminal History Record of the named individual.

Fees: □ LIVESCAN - $37.00 -*or*- □ INKED - $47.00 for Employees and $20.75 for Volunteers
NHSP LIVESCAN FEES: $47.00 for Employees and $30.75 for Volunteers

☐ **Applicant fingerprint card must be submitted at the same time as payment and this form.**

☐ **Make checks payable to: State of NH – Criminal Records**