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2
3 BACKGROUND INVESTIGATIONS AND CRIMINAL RECORDS CHECK
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5 **Background Investigations**

6 The Superintendent, or his/her designee, shall conduct a thorough investigation into the
7 past employment history, and other applicable background, of any person considered for
8 employment with the District. This investigation shall be completed prior to making an
9 offer of employment.

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11 The Superintendent shall develop a background investigation protocol for use in
12 completing a background investigation and shall keep a written record of all background
13 investigations, which have been done.

14
15 As part of the application process, each applicant for a position shall be asked whether
16 he/she has ever been convicted of any crime, and whether there are any criminal charges
17 pending against him/her at the time of application. The falsification or omission of any
18 information on a job application or in a job interview, including, but not limited to,
19 information concerning criminal convictions or pending criminal charges, shall be
20 grounds for disqualification from consideration for employment or immediate discharge
21 from employment.

22
23 **Criminal Records Check**

24 Each person considered for employment by the Hopkinton School District whom duties
25 require regular contact with pupils must submit to a State and FBI Criminal Records
26 Check.

27
28 The Superintendent is responsible to establish all necessary internal procedures relative to
29 the initiation and completion of the State and FBI Criminal Records Check.

30
31 ***Volunteers***

32 Designated Volunteers are subject to a background investigation/criminal records check
33 and the provisions of this policy. "Designated Volunteers" are defined and so designated
34 pursuant to the Policy IJOC. Volunteers not categorized as "Designated Volunteers" per
35 Policy IJOC will not be subject to a background investigation or criminal records check.

36
37 **Conditional Employment**

38 Persons who have been selected for employment may be hired on a conditional basis,
39 pending a successful completion of the State and FBI Criminal Records Check.

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41 No selected applicant for employment shall be extended a conditional offer of
42 employment until the Superintendent (or his/her designee) has initiated the formal State
43 and FBI Criminal Records Check process and has completed a background investigation.

1 Any person who is offered conditional employment, by way of individual contract or
2 other type of letter of employment, will have clearly stated in such contract or letter of
3 employment that his/her contract and continuation of employment, is entirely conditioned
4 upon the completion of a Criminal Records Check, which result is satisfactory to the
5 District.

6
7 All persons employed under a conditional offer of employment may be covered under the
8 District's health insurance program, at the sole discretion of the Board, and in accordance
9 with Board policies and/or collective bargaining agreements, if applicable. However, any
10 such coverage will immediately cease and will not be subject to extension under
11 COBRA, if the Board does not tender the person a final offer of employment by reason of
12 application of this Policy.

13 14 **Final Offer of Employment**

15 A person who has been extended a conditional offer of employment may be extended a
16 final offer of employment upon the completion of a Criminal Records Check, which is
17 satisfactory to the Board.

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19 No person with a conditional offer of employment shall be extended a final offer of
20 employment if such person has charges pending or has been convicted of the following
21 offenses, as referenced in RSA 189:13-a, V: (1) murder, or (2) child pornography, or (3)
22 aggravated felonious sexual assault, (4) felonious sexual assault, (5) kidnapping, (6)
23 manufacturing, selling, administering, dispensing or distributing any controlled
24 substance(s) on school property, or (7) sexual misconduct within an education setting in
25 the state, or where such person has been convicted of the same conduct in another state,
26 territory, or possession of the United States, or where such person has been convicted of
27 the same conduct in a foreign country.

28
29 In addition to the felonies listed above, a person may be denied a final offer of
30 employment if he/she has charges pending or has been convicted of any felony. Such
31 determination will be made by the Board, or on a case-by-case basis.

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33 Additionally, a person may be denied a final offer of employment if the Superintendent
34 becomes aware of other conduct, which he/she determines would render the person
35 unsuitable to perform the responsibilities of the position involved. Such determination
36 shall be made on a case-by-case basis.

37 38 **Termination of a Conditional Offer**

39 When the District receives a notification of a felony conviction from authorities on a
40 particular person which it finds unsatisfactory, the Superintendent shall dismiss said
41 person within twenty-four (24) hours of the receipt of such report, excluding Saturdays,
42 Sundays, or legally recognized holidays.

43 44 **Additional Criminal Records Checks**

45 The Board may require a Criminal Records Check of any employee at any time.
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