MOORE NORMAN TECHNOLOGY CENTER	POLICY # **275**
BOARD OF EDUCATION POLICY	*Adopted: December 18, 2014* *Revised: October 19, 2026*

CRIMINAL RECORDS SEARCHES

It shall be the policy of the 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 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 results of any records searches will be kept on file by the technology center.

National Felony Record Search of Prospective Employees

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

1. The technology center requires a national criminal record check of every prospective employee as a condition of employment; The technology center also requires an Oklahoma criminal history record check for every prospective teacher;

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 the technology center;

3. The 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 may pay the search fee, which will not exceed $60;

5. The 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 national criminal history record check and/or the Oklahoma criminal history record check search; and

7. The applicant, if placed on duty prior to receipt of the criminal history record check results, will be classified as a temporary employee until the 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 criminal history record searches will be made in compliance with the Federal Fair Credit Reporting Act.

The Board of Education shall not have the authority to employ any person who does not have a criminal history record check on file with the technology center. No person shall be permitted to perform work or render services to the technology center without such record check on file

If the results of the national criminal history 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. The administration will review the facts and circumstances of each situation and decide whether to recommend the resignation be accepted. 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.

The district may waive an initial criminal records check for any employee who has obtained certification from the Oklahoma State Department of Education within the past twelve (12) months.

The technology center may waive the requirement to obtain a new records search if the applicant for a full-time teaching position has been employed as a full-time or substitute teacher in another Oklahoma school district, produces a copy of an existing national criminal history record check from within the past five (5) years, and produces an affidavit from the former district stating that the employee left in good standing. The affidavit shall attest as to whether the teacher was the subject of any allegation of inappropriate behavior with a student and whether there was a pending or ongoing investigation of inappropriate behavior between the teacher and a student. The affidavit shall include contact information for the prior employing technology center, which the prospective employing technology center shall contact to determine the validity of the submitted affidavit.

If an allegation of inappropriate behavior was investigated by an employing technology center, the affidavit shall state whether the allegation was substantiated, unsubstantiated, or closed with no finding of misconduct.

<u>Felony Record Searches of Current Employees</u>

When the technology center seeks to obtain a record check regarding a current technology center employee pursuant to the terms of this policy, the employee who is the subject of that record check must complete and sign an authorization and release form provided by the

technology center. The employee shall permit himself/herself to be fingerprinted, if applicable, provide a social security number and provide any other information necessary to facilitate the record check. The technology center shall be responsible for the payment of fees associated with record checks regarding current technology center employees.

Felony Record Searches of Substitutes

The technology center may, in its discretion, require a national criminal history record search for substitutes of the same type and use 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 preceding prospective employment by the 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 immediately 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 an affidavit from the district in which the teacher was last employed stating the teacher left in good standing. The affidavit shall attest as to whether the teacher was the subject of any allegation of inappropriate behavior with a student and whether there was a pending or ongoing investigation of inappropriate behavior between the teacher and a student. The affidavit shall include contact information for the prior employing technology center, which the prospective employing technology center shall contact to determine the validity of the submitted affidavit.

If an allegation of inappropriate behavior was investigated by an employing technology center, the affidavit shall state whether the allegation was substantiated, unsubstantiated, or closed with no finding of misconduct.

Similarly, any person seeking employment as a substitute who has been employed as a full-time teacher by a school district for ten (10) or more consecutive years immediately preceding application for employment as a substitute and who left full-time employment with the school district in good standing is not to 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 employees who provide or offer services to secondary students and children.

Reference: Okla. Stat. tit. 70, § 5-142; Okla. Stat. tit. 74, § 150.9; Okla. Stat. tit. 57, § 589.