

# CHICAGO STATE UNIVERSITY

## College of Education Policy and Procedures for Criminal Background Checks

### Introduction

Illinois law (Public Act 93-909 amended Sections 10-21.9 and 34-18.5 of the Illinois School Code [105 ILCS 5/10-21.9; 105 ILCS 5/34-18.5]) requires schools to conduct background checks for all employees or persons working in schools. Professional education degree and certificate programs customarily include clinical observations, tutoring, practicum, internship, student teaching and other field experiences for which candidates are required to work in schools with individuals under the age of 21.

Individuals seeking a teaching, school service personnel or administrative certificate in the State of Illinois should be aware that certain criminal convictions may prohibit employability in the state of Illinois public schools. Offenses that prohibit employment include first degree murder, any Class X felony, juvenile pimping, soliciting a juvenile prostitute, exploitation of a child, obscenity, child pornography, criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, some offenses set forth in the Cannabis Control Act, and some crimes defined in the Illinois Controlled Substances Act. A Criminal Background Check (CBC) includes screening for past incidents of and arrests for criminal conduct and any history or evidence of child or dependent adult abuse/neglect. Criminal conduct includes any non-traffic offense or arrest, any felony, or any misdemeanor (serious or aggravated) regardless whether the record has been expunged or the sentence deferred.

Individuals seeking teaching, school service personnel or administrative certificates in the State of Illinois *should be aware that certain criminal convictions may prohibit employability in Illinois schools*. Therefore, the College of Education has adopted the Criminal Background Checks (CBC) policy and procedures described below that apply to all candidates in initial, subsequent, and advanced programs who enroll in courses that require participation in field placement experiences with individuals under the age of 21. This policy also applies to students enrolled in courses requiring field experience who are not in an education program.

### COE Background Check Policy

Effective Fall 2009, the College of Education requires that all students participating in field placement experiences with individuals under the age of 21, either on or off campus, submit to a fingerprint criminal background check before beginning the first field experience. In addition, proof of a "cleared" background check will be required with the application for admission to the College of Education. This policy is consistent with the state law that requires Illinois school districts to conduct criminal background investigations of applicants for certified and non-

certified positions.

A candidate whose background check results indicate a status of "no record" may be placed at a site where he/she will receive the field experience. Offenses on a candidate's record that automatically prohibit field placement are the same as those that prevent teacher certification. They include first degree murder, any Class X felony, juvenile pimping, soliciting a juvenile prostitute, exploitation of a child, obscenity, child pornography, criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, some offenses set forth in the Cannabis Control Act, and some crimes defined in the Illinois Controlled Substances Act.

Prior to placement at a field or clinical site, the candidate is required to provide the results of the CBC to the CSU faculty member in whose class he/she is enrolled. Depending on the field site's requirements, the candidate may be required to provide results to designated personnel at the site which he/she is placed. The field site at which the candidate is placed retains the right to make a final determination as to whether the candidate may be placed at that setting. Such a determination will be independent from any determination made by the College or program regarding a candidate's admission to the College or progression in the program.

The CBC will be valid as long as the candidate remains a continuous student at CSU. If a candidate interrupts his/her program for two semesters or longer, another criminal background check will be required upon his/her reentry. The candidate will assume the responsibility for all fees pertaining to the CBC. Chicago State University will accept a criminal background check from other accredited and approved sources.

To insure and maintain confidentiality, criminal background data for all candidates will be converted to an electronic format and stored in a database on a secure COE Web server that is housed in the College of Education. Information in the database will be accessible only to the Director of Field Placement, the Dean of the College of Education or his/her designated representative, and the candidate, upon request.

### **Procedure to Obtain Background Check**

The College of Education has arranged for Accurate Biometrics Company to conduct the CBC. Candidates registered for courses tied to field experiences that require being placed in a school, or in direct contact with a minor, must undergo a background check. Courses requiring field placement are noted in the CSU Catalog. At least 3 weeks before the candidate registers for a course that is tied to field experiences he/she should do the following:

- (1) Obtain a Fingerprint Application Form from the Office of Field Placement (OFP) or from the OFP website at <http://www.csu.edu/CollegeOfEducation/FieldPlacement/index.htm>.
- (2) Complete the Fingerprint Application Form and take it to an Accurate Biometrics location. (Call 1-866-361-9944 or visit <http://www.accuratebiometrics.com> for an up-to-date list of locations).
- (3) Pay the required fee to Accurate Biometrics.
- (4) Accurate Biometrics personnel will use electronic means to take your fingerprint.
- (5) A search will be made of the State of Illinois and the FBI CHRI databases.

- (6) Once the finger printing is complete, the results can be obtained within 72 hours. Accurate Biometrics will arrange for Illinois State Police to transmit the results directly to Chicago State University Office of Field Placement. Accurate Biometrics will also archive the fingerprint records, allowing customer access to the records for a period of twelve (12) months from the date the particular fingerprints were taken.

### **Procedure After the Background Check is Obtained**

Once the candidate has completed the criminal background check, he/she is required to

- (1) Provide written proof of the criminal background check to the CSU faculty member in whose class he/she is enrolled.
- (2) Depending on the placement site's requirements, an additional criminal background check may be required prior to candidate placement. The College of Education's CBC does not preclude a placement site from conducting its own criminal background check (including fingerprinting), depending on the site's operational policy. Furthermore, if a placement site changes policies regarding background checks, the candidate may be required to comply with additional checks.
- (3) If a placement site changes background check policies after a candidate begins clinical experiences at that site, the candidate may be required to comply with additional checks in the timeframe designated by the placement site in order to complete the field experience or to begin the next placement at that site.
- (4) Attach written proof of the criminal background results to your College of Education application.

Proof of a CBC must be provided prior to the candidate receiving the following forms:

- *Clinical Observation Report*
- *Student Teaching Assignment Letter*
- *Tutoring Timesheet*

Candidates may be required to conduct an additional criminal background check if criminal activity is reported to the University by a law enforcement agency or other reliable source. In which case, the candidate will assume all required fees pertaining to additional criminal background checks. Information regarding additional verification of a candidate's criminal background check can be obtained from the Office of Field Placement.

### **Procedure in Case of a Report**

- (1) The Director of the Office of Field Placement and the Dean of the College of Education (or his/her designee) will review all findings of criminal activity reported on CBCs on a case-by-case basis.
- (2) Candidates will not be placed in schools, or in other tutoring or observation experiences, with individuals under the age of 21, if the background check determines that he or she has been convicted of criminal behavior that, by law, prohibits employability in a school setting.
- (3) If criminal activity is reported, the Director of Field Placement will refer the case to the COE Admission and Standards Committee, as appropriate.
- (4) The Admission and Standards Committee will review the case (for COE majors only) within

one month after the disclosure or discovery of the information. The Committee will use the statutes in the Illinois State School Code, the Chicago State University Code of Student Conduct, the College of Education Code of Conduct and other applicable University and collegiate policies to educate themselves prior to making a decision.

- (5) The Admission and Standards Committee will provide a formal, written recommendation to the Dean of the College of Education as well as to the candidate within two weeks after the case is reviewed. The content of the recommendation will include the committee's findings and recommendations, the process undertaken by the committee, the basis upon which the committee came to a recommendation and the recommendation itself.
- (6) Recommendations from the Admission and Standards Committee may be any of the following:
  - A. Recommendations regarding continued matriculation at Chicago State University
    - a) allow the candidate to proceed in the academic program without restriction;
    - b) allow the candidate to proceed in the academic program with specified terms and conditions; or
    - c) Drop/dismiss the candidate from the academic program.
  - B. Recommendations at time of application to the College of Education
    - a) allow the candidate to continue his/her application for entry into the College of Education without restriction; or
    - b) Discontinue the candidate's application for entry into the College of Education, prohibiting the candidate from further matriculation in the College.
- (7) The Admission and Standards Committee decision is not grievable.

***Disclaimer: The criminal background check process does not guarantee the safety of students, clients, faculty, or staff. The College does not guarantee, based on an acceptable criminal background check that candidates will be eligible to continue toward completion of their respective programs and/or to obtain a certification upon graduation.***

## **Chicago State University College of Education Consent and Authorization for Criminal Background Check**

I understand that CSU students participating in clinical observations and field experiences with individuals under the age of 21 are required to undergo a criminal background check. This criminal background check includes, but is not limited to, past criminal offenses and registry information, such as child and dependent adult abuse information.

Upon providing my signature, I agree to a criminal inquiry of my background. I understand that the criminal background check will be based on my name, date of birth and fingerprints, and will include a search of state, local, and federal databases for each of my reported addresses. I also understand that my date of birth is used solely as an identifier to avoid possible misidentification while completing the criminal background check process.

If there is evidence of arrest for a crime(s), conviction for a crime(s), presence on an abuse registry, or other information that reasonably suggests that the safety of an individual under the age of 21 years old might be compromised, the College of Education will be notified, and I will be asked to provide additional information.

In the event of a reported incident, a determination about my continued progress in the academic program will be made by the College of Education's Admission and Standards Committee in accordance with College and University policies and procedures.

I hereby authorize, without limitation, the approved party or agency contracted by Chicago State University's College of Education, its agents, or entities employed by the Chicago State University College of Education to conduct an external review of my criminal background as described above.

I hereby release the Chicago State University College of Education and its agents, employees and agents of entities contracted by the Chicago State University College of Education for purposes of providing criminal background information from any and all claims that I may have arising from or relating to the collection or reporting of information obtained in the process of a criminal background investigation to assure my qualification for participation in a clinical experiences.

**I HAVE READ AND UNDERSTAND THE INFORMATION ABOVE, AND I GIVE MY PERMISSION FOR CHICAGO STATE UNIVERSITY COLLEGE OF EDUCATION TO OBTAIN MY CRIMINAL BACKGROUND INVESTIGATION RESULTS AS A REQUIREMENT FOR CLINICAL OBSERVATION/FIELD EXPERIENCE PLACEMENT.**

Name of Student (*print*) \_\_\_\_\_  
Last Name First Name Middle Name

Signature of Student \_\_\_\_\_ Date \_\_\_\_\_