Expanded Criminal History Checks – Certificated and Non-Certificated Employee Applicants

Section 1. Intent. It is the policy of East Allen County Schools to conduct an expanded criminal history check of any applicant for certificated or noncertificated employment before making a final offer of employment and before the applicant has any direct, ongoing contact with children within the scope of the applicant’s proposed employment with the School Corporation.

Section 2. Definition of “Expanded Criminal History Check”. The definition of “expanded criminal history check” as defined IC 20-26-2-1.5 includes:

1. Search of records from all Indiana counties in which the applicant resided; and

2. Search all counties in other states in which the applicant resided; and

3. Search of the national sex offender registry or the sex offender registries of all fifty (50) states.

4. A national criminal history background check; and

5. Search of the national sex offender registry or the sex offender registries of all fifty (50) states.

Section 3. Conditional Offer of Employment. Any offer of employment, whether made orally or in writing, provided to an applicant prior to the completion of an expanded criminal history check on the applicant, is not a final offer but is conditioned upon verification of a satisfactory expanded criminal history check.

Section 4. Payment of Fees Associated With An Expanded Criminal History Check. Certified and non-certified applicants are required to pay the fees associated with obtaining an expanded criminal history check.

Section 5. Review of Results of Expanded Criminal History Check. Human Resources will review the results of the expanded criminal history check to determine if any convictions noted would disqualify the applicant for employment with East Allen County Schools as outlined in Section 6 below. As part of this review, Human Resources will review the application for employment submitted by the applicant. Failure to answer questions truthfully regarding ones criminal...
history on the application will result in termination regardless of whether the dishonesty was discovered before or after a final offer of employment is made.

Section 6. Disqualifying Convictions. East Allen County Schools reserves the right to use information obtained under policy concerning an individual's conviction for one (1) of the following offenses as grounds to not employ or contract with the individual:

1. Murder (IC 35-42-1-1).
2. Causing suicide (IC 35-42-1-2).
3. Assisting suicide (IC 35-42-1-2.5).
4. Voluntary manslaughter (IC 35-42-1-3).
5. Reckless homicide (IC 35-42-1-5).
6. Battery (IC 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (IC 35-42-2-1.5).
8. Kidnapping (IC 35-42-3-2).
9. Criminal confinement (IC 35-42-3-3).
10. A sex offense under IC 35-42-4.
12. Arson (IC 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (IC 35-46-1-3).
14. Neglect of a dependent as a Class B felony (IC 35-46-1-4(b)(2)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Contributing to the delinquency of a minor (IC 35-46-1-8), unless ten (10) years have elapsed from the date the
individual was discharged from probation, imprisonment, or parole, whichever is later.

16. An offense involving a weapon under IC 35-47 or IC 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

17. An offense relating to controlled substances under IC 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

18. An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

19. An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

20. An offense that is substantially equivalent to any of the offenses listed in this section in which the judgment of conviction was entered under the law of any other jurisdiction.

Section 7. Notification of Subsequent Conviction. Any individual employed by the School Corporation shall notify the Board of School Trustees and the Superintendent, if during the course of the individual's employment with East Allen County Schools, the individual is convicted in Indiana or another jurisdiction of an offense described in Section 6.

Section 8. Confidentiality. Any information obtained from any type of criminal history check is confidential and shall not be released or disseminated.