

## HOUSE BILL 1 BACKGROUND CHECK REVISIONS – EFFECTIVE JANUARY 1, 2010

With the passage of House Bill 1, new background check requirements have been enacted for licensed educators in Ohio. *Initial* applicants for a license must complete both BCI and FBI criminal background checks. These checks need to be less than 365 days old to be considered valid for licensing purposes.

Educators who are renewing a license or permit and have lived continuously in the State of Ohio for the previous five years, and have a BCI background check on file with ODE, will need to complete only an FBI criminal background check once every five years. Currently, they must complete both BCI and FBI checks whenever they renew. Educators who have not lived continuously in the state for the past five years will need to complete both a BCI and FBI background check.

Educators with multiple licenses only need to submit the required background checks when they are applying for the renewal of the license or permit that is of the longest duration. Educators who hold a permanent certificate are still required to submit the required background checks once every five years. Permanent certificate holders who have lived continuously in Ohio for those five years, however, will only need to submit FBI background checks.

Educators still need to have the fingerprinting agency request that the results be sent to the Ohio Department of Education. ODE requests that both background checks (BCI and FBI) be completed electronically through WebCheck so the fingerprints will be sent immediately to BCII (Bureau of Criminal Investigation and Identification). This allows for a much quicker processing of the prints and results reported to ODE. Please ask the agency you choose to use if they have both Ohio and National WebCheck machines.

## Fact Sheet and Frequently Asked Questions Regarding Background Check Requirements

As required by Ohio law, certificate holders and all non-licensed school employees need to submit fingerprints for both an Ohio criminal background check (BCII) and an FBI criminal background check to the Bureau of Criminal Identification and Investigation (BCII).

### ***Process***

#### **Where can I go to complete the BCII and FBI background check requirement?**

It is recommended that you first check with your local school district, then neighboring school districts or your region's Educational Service Center. If none of these have the ability to electronically complete both background checks, then check with your local law enforcement agencies or use the Ohio Attorney General's Web site: <http://www.ohioattorneygeneral.gov/Services/Business/WebCheck> to find a convenient location.

#### **How do I have the background checks done?**

ODE requests that both background checks (BCII and FBI) be completed **electronically** through WebCheck so the fingerprints will be sent immediately to BCII. This allows for a much quicker processing of the prints and results reported to ODE. Please ask the agency you use if they have both Ohio and National WebCheck machines.

**PLEASE NOTE:** Beginning **June 1, 2008**, everyone in Ohio must use WebCheck **unless**:

1. The individual lives 75 miles away from the nearest WebCheck facility; or
2. The individual has a history of 'bad quality prints' that cannot be captured on a WebCheck screen.

### **Where do I send the results of the background check?**

**Licensed educators** need to have the results sent to the Ohio Department of Education. Please tell the agency you use to send the results to ODE. **Non-licensed school employees** should have results sent to their **employing school districts**.

### **How long does it take to complete the background checks?**

Completing the fingerprinting process should take no longer than five minutes.

### **How long does it take for ODE to receive my background checks results?**

First, it is critical that the agency you use for the background checks mark the form to send the results to **the Ohio Department of Education**. Results can take longer as BCII processing time varies and/or if a record is found during the course of the criminal background check. If a record is found, it could lengthen the process to several weeks.

### **What happens if there is a delay in ODE's receipt of the background check results from BCII?**

To accommodate educators, ODE's Office of Educator Licensure has extended the length of time the office will hold an application while waiting for the background check. In the past, applications were held for 90 days while awaiting background check results. This timeframe has been increased to **180 days** to accommodate any BCII delays. Educators are encouraged to have their prints done as soon as possible, even if they still are completing coursework. In that case, the print results can be held at ODE and matched up with the teacher's application when it arrives. **Remember: electronic prints are processed much faster, as a rule, than "inked" or "rolled" prints.**

### **Can I send ODE a paper copy of my background check?**

No, ODE cannot accept background checks from individual applicants. ODE is required to use the background checks sent and reported by BCII.

## ***Validity period for background checks***

### **For how long are the background checks valid?**

Background check information is valid for one year, or **365 days**, from the date that the background check was completed.

### **I had my background checks done recently for another job; can I have those results sent to you?**

If the results are less than one year old, you may have them sent by the Bureau of Criminal Identification and Investigation to ODE for use in considering your initial or renewal application. Contact BCII at 740-845-2375.

### **Can I use my background check from another state?**

No, due to differences in state statutes regarding the scope of educator criminal background checks, a clear criminal background check from another state would not necessarily be an indicator that a person would pass the Ohio criminal background checks.

## **Cost**

### **How much should I expect to pay for the background checks?**

Cost of the fingerprinting varies, depending on where you have it done. You may want to first check with your local school district, then neighboring school districts or your region's Educational Service Center, to see if they can process electronic fingerprints for submission to BCII.

### **Who is responsible for paying for these background checks?**

Unless a local district has made provisions to pay for the background checks, the licensed educator or school employee will be responsible for this cost.

### ***Other related school personnel***

#### ***I am a non-licensed school employee***

All non-licensed school employees, excluding van and bus drivers, must submit the required background checks every five years. **Non-licensed school employees do not report their results to ODE. Those results should be forwarded to the employing school district.**

#### ***I am a school bus or van driver***

School bus and van drivers must submit fingerprints for both BCII and FBI background checks when they **renew their six-year certificates**. The results of these background checks should be sent to the employer, and not to Teacher Certification. Additional information about driver qualifications and background checks, including frequently asked questions, are available on the pupil transportation page at [www.ode.state.oh.us](http://www.ode.state.oh.us), search keywords: *Pupil Transportation*.

#### ***I am a school volunteer***

There is no mandate under HB 190 for school volunteers to complete both the BCII and FBI background checks. The legal requirements for background checks for volunteers are listed in Ohio Revised Code Sections 109.574 to 109.577.

#### ***I am a volunteer coach who holds a pupil activity permit***

All individuals who coach for an Ohio school need to have a Pupil Activity permit and to receive this permit you need to complete the required background checks.

#### ***I am a private contractor hired by a school***

Private contractors hired by school districts, educational service centers, community schools, STEM schools, and chartered nonpublic schools must request background checks for employees who will work in the schools.

#### ***I am a physical therapist, occupational therapist, nurse or speech therapist in a school***

These individuals follow the same process as licensed educators. Those working under a five-year or temporary license must have the required checks at time of license renewal.

### ***Related questions and contact information***

#### **Who can I contact regarding the status of my background checks?**

You can contact BCII at 877-224-0043 or P.O. Box 365, London, OH 43140. You also may check the ODE Educator Profile on the ODE Web site ([www.ode.state.oh.us](http://www.ode.state.oh.us)). (You must establish a SAFE account – look for the gray “Sign in” button on the home page.) You then will be able to see if ODE has a valid background check (BCII and FBI) on file for you. If you cannot find the information you need on Educator Profile, you may call the Office of Educator Licensure at 1-877-644-6338 (toll free) or (614) 466-3593 for assistance.

### ***Special circumstances***

#### **Am I notified if my application is on hold for a background check?**

Yes, if your application is on hold pending receipt of the BCII and FBI background checks, you should receive a letter from ODE.

**What if my fingerprints cannot be taken electronically or by ink?**

You should contact BCII at 740-845-2375 to learn the specifics regarding this and what needs to be done in order to have criminal background checks reported.

Oct. 16, 2009