

## Background Investigation and Criminal History Records Check

### Background Investigation:

The Superintendent, or his/her designee, shall conduct a thorough investigation into the past employment history, and other applicable background, of any person considered for employment with the Portsmouth School Department. The background check shall be completed prior to making an offer of employment.

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

### Criminal Records Check:

Each person considered for employment by the Portsmouth School Department must undergo a criminal records check, as described in RSA 189:13-a, prior to any final offer of employment. The Superintendent is responsible for establishing all necessary internal procedures relative to the initiation and completion of the State and FBI Criminal Records Check. All fees and costs associated with the fingerprinting process and/or the submission or processing of the Criminal Records Check shall be borne by the applicant.

### Volunteers:

Designated Volunteers are subject to a background investigation / criminal records check and the provisions of this policy. Volunteers not categorized as "Designated Volunteers" per Policy IJOC will not be subject to a background investigation or criminal records check.

### Conditional and Final Offers of Employment:

Persons who have been selected for employment may be hired on a conditional basis, but only upon completion of a background investigation and having initiated the Criminal Records Check process. A final offer of employment may be extended upon successful completion of a Criminal Records Check which is satisfactory to the Portsmouth School Department.

No person with a conditional offer of employment shall be extended a final offer of employment if such person has charges pending or has been convicted of offenses referenced in RSA 189:13-a, V. In addition to the felonies listed in RSA 189:13-a, V, a person may be denied a final offer of employment if he/she has charges pending or has been convicted of any felony.

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

Additionally, a person may be denied a final offer of employment if the Superintendent becomes aware of criminal convictions that were not disclosed by the applicant or other conduct that he/she determines would render the person unsuitable to perform the responsibilities of the position involved.

Additional Criminal Records Check:

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

**Legal Reference:**

*RSA 189:13-a, School Employee and Volunteer Background Investigations*

*Technical Advisory: School Employee Criminal History Records Check, NH Department of Education and NH Department of Safety, Revised September 2010.*