

BARRINGTON PUBLIC SCHOOLS

Criminal Records/ Background Checks

(a) Job Applicants and Employees

In accordance with Rhode Island General Laws § 16-2-18.1 (Criminal Records Review), all persons seeking employment with the Barrington Public Schools (BPS), who have not previously been employed by a private school or public-school department in Rhode Island during the prior twelve (12) months, shall undergo a national criminal records/background check to be initiated by the prospective employee after receiving a conditional offer of employment. The prospective employee shall be responsible for completing the national and criminal background check process by applying to the bureau of criminal identification (BCI), department of attorney general, state police, or local police department where they reside, and making payment for any associated costs.

For the purposes of this policy, “employment” includes individuals hired directly by BPS, contractual employees of BPS, and those individuals with potential for direct or unmonitored contact with students who are hired by a third party contracted with BPS to provide services.

In those situations in which no disqualifying information has been found, the entity that performs the criminal background check shall inform the applicant and BPS, in writing, of this fact.

"Disqualifying information" shall mean all offenses listed in R.I. Gen. Laws § 23-17-37, § 11-37-8.1, and § 11-37-8.3. All employment offers are conditional upon the receipt of a criminal records/background check clear of disqualifying information.

In accordance with R.I. Gen. Laws § 16-2-18.2 (Prior criminal records checks), if an applicant for employment has undergone a national and state criminal records check within twelve (12) months prior to an application for employment, the Superintendent may request from the applicant and/or the Bureau of Criminal Identification a letter indicating the presence or absence of disqualifying information.

BPS shall maintain on file, subject to inspection by the Rhode Island Department of Elementary and Secondary Education, evidence that criminal records checks have been initiated on all employees seeking employment, and the results of the criminal records/background checks will be maintained in the employee’s personnel file.

1. Employees hired by BPS

Prospective employees seeking to be hired directly by the Barrington Public Schools must produce a criminal records/background check showing no disqualifying information by no later than one week prior to appointment by the Barrington School Committee. There will be no exceptions to this procedure. All employment offers are conditional upon the receipt of a criminal records/background check clear of disqualifying information. Current employees who are convicted of any criminal offense listed in R.I. Gen. Laws § 23-17-37, § 11-37-8.1, and § 11-37-8.3 are required to notify BPS administration.

2. Contract Employees

Prospective service providers/contract employees must produce a criminal records/background check showing no disqualifying information by no later than ten days prior to the start of the contract.

The director of the department that manages the work of any contract employee is responsible for obtaining a copy of such criminal records/background check, ensuring it is clear of disqualifying information, and delivering it to the Director of Finance and Administration.

3. Third-party service providers

Any third-party service provider who performs work or provides services to BPS directly who has unmonitored contact with children or students shall ensure in advance that it has on file an up-to-date state criminal records/background check clear of disqualifying information.

(b) Current and Prospective Volunteers

In accordance with R.I. Gen. Laws § 16-2-18.4 (“Criminal records review for volunteers”), all current volunteers or persons seeking to become volunteers at BPS, who may have direct and unmonitored contact with children and/or students on school premises, shall produce a state criminal background check showing no disqualifying information prior to commencement of such volunteer work. The prospective volunteer shall be responsible for completing the state criminal background check by applying to the bureau of criminal identification (BCI), department of attorney general, state police, or local police department where they reside and making payment for any associated costs.

All current volunteers’ criminal records/background checks are valid for two (2) years only. Current and prospective volunteers are encouraged to be proactive and obtain up-to-date criminal records/background checks that will carry them through their anticipated volunteer period. A current volunteer whose most recent criminal records/background check expires in the middle of a scheduled volunteer period will be temporarily prohibited from participating in any further volunteer activities until they produce a new criminal records/background check clear of disqualifying information.

In those situations in which no disqualifying information has been found, the entity that performs the criminal background check shall inform the applicant and BPS, in writing, of this fact. Upon the discovery of any disqualifying information, the applicant will be informed in writing of the nature of the disqualifying information; and, without disclosing the nature of the disqualifying information the entity that performs the criminal background check will notify BPS in writing that disqualifying information has been discovered.

"Disqualifying information" means those offenses listed in R.I. Gen. Laws § 23-17-37, those offenses listed in § 11-37-8.1 (First degree child molestation sexual assault), and § 11-37-8.3 (Second degree child molestation sexual assault).

A person against whom disqualifying information has been found may request that a copy of the criminal records/background report be sent to BPS. All previously arranged volunteer opportunities or appointments are subject to revision or revocation if a criminal records/background check contains disqualifying information, and under no circumstances shall any person be permitted to engage in actual volunteer work unless and until he or she has produced a criminal records/background check clear of disqualifying information.

Any individual seeking to volunteer for any purpose within the Athletic Department must first produce a criminal records/background check clear of disqualifying information, and in addition, must be approved in writing by the Athletic Director. In addition to the above, volunteer coaches must also produce a state criminal background check clear of disqualifying information. Head coaches must inform all potential volunteers that they are required to produce the above-referenced criminal records/background check clear of disqualifying information prior to the commencement of volunteer activities. Head coaches must request prior approval from the Athletic Director for all volunteers who may work with their teams.

The Athletic Director shall ensure that criminal records/background checks clear of disqualifying information are obtained for all volunteer coaches and athletic assistants at least ten (10) days before the commencement of volunteer activities. A copy of the original criminal records/background check and prior written approval for every volunteer shall be sent to the BPS Volunteer Coordinator.

All other prospective volunteers shall arrange for criminal records/background checks to be sent to the BPS Volunteer Coordinator. The Volunteer Coordinator is responsible for reviewing the volunteers' criminal records/background check, ensuring it is clear of disqualifying information, and delivering a copy to the BPS Director of Finance and Administration. The Volunteer Coordinator shall retain on file the original copy of the volunteer's criminal records/background check, and notify the administration that the volunteer is approved or disqualified.

The BPS Volunteer Coordinator shall maintain on file, subject to inspection by the Rhode Island Department of Elementary and Secondary Education, evidence that records/criminal background checks have been initiated on all volunteers or prospective volunteers, and the results of all checks.

Current or prospective school volunteers who may have a question regarding this policy may contact Volunteer Coordinator, Anita DiMatteo at dimatteoa@barringtonschools.org.

R.I. Gen. Laws § 16-2-18.1

R.I. Gen. Laws § 16-2-18.2

R.I. Gen. Laws § 16-2-18.4

R.I. Gen. Laws § 16-2-18.5

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