

## Personnel -- Certified/Non-Certified

### Reference and Background Checks

CREC believes that it is critical that references on applicants be checked and a background check be completed prior to an offer of employment. The administration, therefore, is directed to require all applicants to submit all documentation required by law; and to review fully, as required by law, such documentation prior to an offer of employment.

The Executive Director or designee is directed to develop guidelines for checking of applicant references and background.

(cf. 4112.5 Fingerprinting)

Legal References: Connecticut General Statutes

10-221d Criminal history and child abuse and neglect registry records checks of applicants and employees of eligible school operators

10-222c Hiring policy. Applicant's employment history; requirement to disclose and check upon, as amended by P.A. 24-41, An Act Concerning Educator Certification, Teachers, Paraeducators and Mandated Reporter Requirements.

Policy adopted: September 17, 2003  
Revised: April 19, 2017  
Revised: October 16, 2024

CAPITOL REGION EDUCATION COUNCIL  
Hartford, Connecticut

## **Personnel -- Certified/Non-Certified**

### **Reference and Background Checks**

The CREC Council (CREC) believes that it is critical that references on an application be checked prior to an offer of employment. In order to create a safe and orderly environment for students, all offers of employment will be conditioned upon the successful outcome of a criminal record check and a documented good faith effort to contact the applicant's former employer(s) for recommendations and information about the applicant's fitness for employment. In addition, any person applying for employment with CREC shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before being hired.

### **Requirements for Applicants**

CREC shall not offer employment to an applicant for a position, including any position which is contracted for, if such applicant would have direct student contact, prior to requiring such applicant to provide:

1. A list of the name, address and telephone number of each current or former employer, if such current or former employer was a local or regional board of education, governing council of a local or state charter school, or interdistrict magnet school operator, or if such employment otherwise caused the applicant to have contact with children;  
  
"Former employer" means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity by which the applicant was employed during any of the twenty (20) years prior to applying for a position with CREC.
2. A written authorization that:
  - (i) consents to and authorizes disclosure by the employers listed under subparagraph 1, above, of the information requested in the form developed by the Department of Education in accordance with state statute, and the release of related records by such employers;
  - (ii) consents to and authorizes disclosure by the Department of Education of information regarding the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit ; whether the department has knowledge that a finding of abuse or neglect or of sexual misconduct has been substantiated against the applicant by the Department of Children and Families and any information concerning such a finding; and whether the department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and the release of related records by the department; and
  - (iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records; and
3. A written statement of whether the applicant:

- (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated;
- (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by the Department of Children and Families, or an allegation of sexual misconduct was pending or under investigation or due to a substantiated allegation of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;
- (iii) has ever had a professional or occupational license or certificate suspended or revoked, or has ever surrendered such a license or certificate while an allegation of abuse or neglect was pending or under investigation by the Department of Children and Families; or an investigation of sexual misconduct was pending or under investigation; or due to an allegation of abuse or neglect or of sexual misconduct substantiated by the Department of Children and Families; or due to a conviction for abuse of neglect or sexual misconduct.
- (iv) has ever been convicted of a crime or whether criminal charges are pending against such applicant.

### **Reference/Background Checking Procedures**

Before offering employment for a position that would involve direct contact with students CREC shall:

1. Review the applicant's employment history by contacting each of the employers listed by the applicant. Such review shall be conducted by using the form developed by the Department of Education in accordance with state law, which shall request (A) the dates of employment of the applicant; and (B) a statement as to whether the employer has knowledge that the applicant (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency or municipal police department or which has been substantiated, unless such substantiation has been reversed as a result of an appeal conducted pursuant to C.G.S. 17a-101k; (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation has been reversed as a result of an appeal conducted pursuant to C.G.S. 17a-101k; or (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct, unless such substantiation has been reversed as a result of an appeal conducted pursuant to section C.G.S. 17a-101k. Such review

may be done by telephone or through written communication. If necessary for the proper vetting of the applicant, additional information from each such employer may be requested.

2. Request information from the Department of Education concerning (a) the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit; (b) whether the Department has knowledge that a finding of abuse or neglect or of sexual misconduct has been substantiated by the Department of Children and Families against the applicant and any information concerning such a finding, and (c) whether the Department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.
3. Obtain a total of two (2) professional employment references. One (1) of these must be made by telephone contact. A combination of Telephone Reference Forms or a verified AppliTrack Online Survey will satisfy the telephone contact requirement. At least one (1) reference check shall be conducted by staff who are trained to ask questions that would elicit reasons why prior employers would not rehire the applicant.
4. Conduct a personal interview with the applicant, to determine suitability for the position. Such interview shall be conducted by staff who are trained appropriately, including in how to recognize signs of child abuse and/or grooming behavior.

### **Temporary Hires**

CREC may employ or contract with an applicant on a temporary basis for a period not to exceed ninety days, pending review of the applicant's information, provided:

1. The applicant has provided all required information and documentation;
2. CREC has no knowledge of information that would disqualify the applicant from employment with CREC; and
3. The applicant affirms that he/she is not disqualified from employment with CREC.

### **Substitute Teachers**

CREC shall only hire applicants for substitute teaching positions who comply with this regulation and accompanying policy, who fulfill the disclosure requirements, and who have been vetted after the required information from the applicants' prior employers and the State Department of Education has been reviewed. CREC shall determine which applicants are employable as substitute teachers and maintain a list of such persons.

### **Contractors and Their Employees**

In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to the contractor all information required of any applicant for a position with CREC, as required by this policy and regulation.

The contractor shall contact any current or former employer of such employee that was a local or regional board of education, governing council of a local or state charter school, or interdistrict magnet school operator, or if such employment caused the employee to have contact with children, and request, either by telephone or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee.

If the contractor receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, immediately forward such information to CREC, either by telephone or through written communication.

Upon receipt of such information CREC shall determine whether such employee may work in a position involving direct student contact at any CREC school. No determination by CREC that such employee shall not work under any contract between CREC and the contractor shall constitute a breach of such contract.

### **Employment Agreements**

CREC shall not enter into any collective bargaining agreement, employment contract, resignation or termination agreement, severance agreement or any other contract or agreement or take any action that:

1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
2. Affects CREC's ability to report suspected abuse or neglect or sexual misconduct to appropriate authorities; or
3. Requires CREC to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by CREC, unless after investigation such allegation is dismissed or found to be false.

### **Falsification of Records/Information**

Any applicant who knowingly provides false information or knowingly fails to disclose information required by this regulation and accompanying policy shall be subject to denial of employment, discipline, or termination.

### **Communication and Reporting**

If CREC receives information that an applicant for a position or a CREC employee has been disciplined for a finding of abuse or neglect or sexual misconduct it shall notify the Department of Education.

CREC shall provide, upon request, to any other education employer or to the Commissioner of Education, information it may have about a finding of abuse or sexual misconduct about someone being vetted for hire as an employee of CREC or a CREC contractor.

Regulation issued: January 3, 1996  
Re-issued: September 17, 2003  
Revised: January 18, 2017  
Revised: November 15, 2017  
Revised: September 18, 2024

CAPITOL REGION EDUCATION COUNCIL  
Hartford, Connecticut