

# **Facts about Fingerprinting and Employment in Missouri Public Schools**

## *Essential information about background checks and related procedures for public school districts, public universities and job-hunters*

Every newly hired person in a Missouri public school who may have contact with children must undergo a criminal background check before having contact with students. The background check includes submitting fingerprints to the Missouri Highway Patrol (MHP) and the Federal Bureau of Investigation (FBI). The Department of Elementary and Secondary Education (DESE) manages the background check process for school districts and for professional educators when they apply for certification.

All teachers and substitutes, all other professional school personnel, and all non-certified staff must have a background check prior to employment. Bus drivers are permitted to begin working before their background checks are completed, but they must be fingerprinted before starting to drive. The law does *not* require student teachers or adult volunteers to be fingerprinted, since they are not employees. However, school districts may require full background checks for student teachers and volunteers.

### **Fingerprints Valid Only For One Year**

Fingerprints are valid for employment and certification purposes for one year. After one year, DESE will not send the results of background checks to prospective employers. If a current school employee changes districts and the results of that person's background check are more than one year old, the hiring district must require the individual to submit fingerprints again before hiring.

### **How Long Does It Take?**

It usually takes about 5-10 business days from the date of fingerprinting for results to arrive at DESE.

### **Clearance Letters**

When we process fingerprint results for certified educators through the Highway Patrol and the FBI, a letter is sent to the educator or substitute teacher and to the school district listed by OCA number (DESE's school district identifier). Clearance letters are plainly marked "PLEASE KEEP FOR FUTURE REFERENCE." Applicants may take the letter to school districts to show that they have a valid clearance. Employers should ask to see a copy of each applicant's letter; be sure that it is on DESE letterhead and is less than one year old. Employers may call DESE's Conduct and Investigations Section (573-522-8315) to verify an applicant's clearance.

### **Results of Background Checks are Confidential**

Federal regulations prohibit the dissemination of criminal-history information outside of the public school system. Therefore, background/fingerprint information can only be shared between school districts, or public colleges. You may copy any applicant's report, clearance letter or the "rap sheet" from the MHP/FBI and mark them "copy". You must create and keep a log/journal of all information shared, the date and with whom it was shared. You should not discuss the contents of these documents with other potential employers, such as bus companies or non-public schools.

A school district or college can share the results of fingerprinting with an applicant, but you must record it in a log and stamp "copy" on the documents. If an applicant has a background incident, DESE can mail a copy of the report about that incident to a public school district (if it is less than one year old). DESE will not fax or e-mail such records. Reports that are more than one year old are destroyed.

## **Where Are Fingerprints Collected?**

Applicants who reside in Missouri must be fingerprinted by L-1 Enrollment Services Division (L-1), the state-approved contractor. Fingerprints are scanned and recorded digitally. There are multiple locations for capturing fingerprints across the state; all locations are listed on the L-1 Web site. DESE will not accept clearances obtained through other companies.

Out-of-state residents should be fingerprinted at a law enforcement agency and have their results mailed directly to L-1. The processing time for ink/card fingerprints may be as much as six weeks. Information on this process can be found at <http://www.11id.com/pages/167-missouri>.

If an applicant's fingerprints are rejected by the FBI, it probably means the ridge detail of the fingerprints could not be read. In such cases, L-1 contacts the applicant or the district to schedule a second fingerprinting session. The second fingerprinting session is free. If the prints are rejected a second time, DESE will be notified. We will ask the FBI to run a check based on the applicant's social security number.

## **Understanding the Fingerprint Questionnaire**

The identifier code tells DESE the type of position an applicant is seeking.

- "E" means Certified/Educator or an individual requesting certification.
- "S" means substitute teacher.
- "U" means uncertified. This is used for secretaries, custodians and other personnel.
- "B" means bus driver.

If the identifier code is incorrect, we may not send all of the appropriate reports to the employer. Please check the identifier located behind the OCA number. If the person has a background history and is listed with a "U" or "B," DESE will not review the individual's background. If the applicant actually should have been fingerprinted as an educator or a substitute (E or S), call us so we can review the criminal record.

The ORI number indicates that the Department of Elementary and Secondary Education (MO920320Z) requested the information. This number assures that the results are delivered to DESE, and it allows us access to open and closed records.

The OCA number is the district's six digit county-district code. It tells us what district or public college gets the results after we receive them. If an applicant is applying for a job in multiple districts, the hiring district may contact DESE for background-check results or obtain from the original public district.

## **Reviewing Results for Educators & Substitutes**

If you receive a background report about an educator/substitute that is stamped "Cleared" on the cover memo, it means the person is cleared on any charges shown. If an educator or substitute has been cleared by DESE after results were sent to the school, we'll send the individual a separate clearance letter. The school district should keep a copy of this letter on file.

If an individual who is already certified has a new background check that reveals criminal charges, DESE may request court documents and send the person's case to the Attorney General's office. After investigation by the Attorney General's office, the case may proceed to a formal disciplinary hearing with the Department of Elementary and Secondary Education and final review by the State Board of Education. The board may suspend or revoke licenses. (The state may seek disciplinary action against an educator's license only for offenses that occurred after 1988.)

An educator's or substitute teacher's certificate will not be issued to any individual until the person's criminal record has been reviewed and cleared by DESE. To be cleared, the applicant must provide relevant court documents and attend an interview with DESE staff before the individual's eligibility for a license is determined, on a case-by-case basis, by the State Board of Education.

### **Background Checks of Students/Prospective Teachers**

When a person who is enrolled in an educator-preparation program at a college or university admits to a criminal offense or fails to clear a fingerprint check, the institution should promptly inform DESE's Conduct and Investigations Section. We will send a letter to the individual and college/university requesting more information in order to request a provisional clearance from the State Board of Education, based on an affidavit of moral character and verification of the student's status. The provisional clearance indicates that the student can expect to qualify for a teaching certificate when the actual application is submitted, with no additional offenses, upon completion of the college program.

### **Procedures for Clerical Staff, Custodians & Bus Drivers**

When an applicant for a non-certified staff position is found to have a criminal record, DESE will *not* send a letter to the individual requesting more information. The potential employer gets the results of the background check and may ask the applicant for more information.

If a non-certified applicant or bus driver is cleared, we send the results to the school district. The applicant does *not* receive a clearance letter. If the applicant applies at more than one school district and has been fingerprinted in the last year, the hiring district may share the information with another public school district and record it in the log.

DESE does not have authority to review the background of applicants for non-certified positions. School districts have the discretion to employ individuals for clerical, custodial or bus driver positions, even if the fingerprint check reveals some type of criminal history.

**Nonpublic Schools and Universities/Colleges should contact Missouri State Highway Patrol about the MOVECHS process for fingerprinting.**

### **For More Information**

Contact the Missouri Department of Elementary and Secondary Education  
Conduct and Investigations Section/573-522-8761 or 573-522-8315

### **FAQs about fingerprinting procedures**

<http://dese.mo.gov/divteachqual/teachcert/fingerprintsfaq.html>

### **Rules/Statutes**

<http://dese.mo.gov/divteachqual/profconduct/rules-statutes.html>