

On-Site Compliance Audit Checklist

Charter School: Criminal Background Checks for Staff

District/Charter: _____ **Reviewer:** _____
School: _____ **Date:** _____

Legislation/Regulation Authority:

11 Del. C., Chapter 85, Subchapter IV, Criminal Background Check for Public School Related Employment; 14 DE Admin. Code 745 Criminal Background Check for Public School Related Employment

Relevant section from this law:

§8571 Screening procedure required.

(a) Any person seeking employment with a public school shall be required to submit fingerprints and other necessary information in order to obtain the following:

(1) Report of the individual's entire criminal history record from the State Bureau of Identification or a statement from the State Bureau of Identification that the State Bureau of Identification Central Repository contains no such information relating to that person.

(2) A report of the individual's entire federal criminal history record pursuant to the Federal Bureau of Investigation appropriation of Title II of Public Law 92-544 [28 U.S.C. § 534]. The State Bureau of Identification shall be the intermediary for the purposes of this section and the public school shall be the screening point for the receipt of said federal criminal history records.

(b) All information obtained pursuant to subsection (a) of this section shall be forwarded to the public school which will assess the information and make a determination of suitability for employment. The person seeking employment shall be provided with a copy of all information forwarded to the public school pursuant to this subsection. Information obtained under this subsection is confidential and may only be disclosed to the chief school officer and the chief personnel officer of the public school, and one person in each public school, as defined in § 8570(4) of this title, who shall be designated to assist in the processing of criminal background checks, receive training in confidentiality and be required to sign an agreement to keep such information confidential. The State Bureau of Identification may release any subsequent criminal history to the public school.

Intent of the Legislation/Regulation:

To ensure the safety of the students and staff while at school

Focus of Review:

Student and staff safety while at school

Method of Assessment: (Check all that apply)

Document Review

Observation

Interview

Location of Audit: (Check all that apply)

- LEA Office..... Excludes Charters
- Elementary School..... Excludes Charters
- Middle School Excludes Charters
- High School..... Excludes Charters
- Other Agency

Over the past three years, what guidance, technical assistance, and/or professional development has been offered to the districts and charters regarding this regulation?

TA provided during application process

Required District and Charter School Compliance Items of Criminal Background Checks: Staff	Evidence	Compliance			Comments/Corrective Action	Corrective Action Due Date
		Yes	No	N/A		
All employees in schools must have criminal background check completed	Background check in file				.	