

Actor	Action
	<p>Completes the required forms to request a fingerprint-based criminal history record check on each contractor’s employee who will have direct, daily contact with one or more students. 105 ILCS 5/10-21.9(f). See 5:30-AP2, <i>Investigations</i>. Screens the individual’s name and address against the: (1) Ill. Sex Offender Registry, www.isp.illinois.gov/Sor/Disclaimer, and (2) the Violent Offender Against Youth Registry maintained by the Ill. Dept. of State Police (ISP), www.isp.illinois.gov/MVOAY/Disclaimer.</p> <p>Whenever a contractor sends an employee who will have direct, daily contact with a student(s) to the District for the first time, ASKS the contractor:</p> <ol style="list-style-type: none"> 1. Will this employee be assigned to more than one school district? IF YES, may request the applicable Regional Superintendent to be responsible for obtaining a fingerprint-based criminal history records check and checking the Statewide Sex Offender Database for each such employee. The Regional Superintendent is required to promptly report to the District any information concerning the employee’s record of conviction and identification as a sex offender. 105 ILCS 5/10-21.9(f). 2. Has another Illinois school district already conducted a fingerprint-based criminal history records check on the employee within the last year? IF YES, may request a copy of it for that contractor’s employee from the school district where the contractor’s employee worked or works. The District may rely on a check done by another district within the last year. 105 ILCS 5/10-21.9(h). <p>Note: State law does not define “within the last year.”</p> <p>Upon a request from any school, school district, community college district, or private school for a copy of a fingerprint-based criminal history records check for an employee of a contractor, FIRST determines if the District conducted the check within the last year. IF YES, provides a copy of it to the requesting entity. 105 ILCS 5/10-21.9(f-5).</p> <p>Note: An immunity provision, contained in 20 ILCS 2635/7(A)(3), makes the District not liable to an individual for its reasonable actions taken in reliance on the individual’s Criminal History Records Information (CHRI) report. The District will lose the immunity if it was notified by the individual or by the ISP that the CHRI report is inaccurate or incomplete.</p>

Cross Reference and Resource

1. ISBE’s non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, at: www.isbe.net/Documents/guidance_chr.pdf.

2. **Fingerprint-based Criminal History Records Information Check** subhead in 5:30-AP2, *Investigations*.

APPROVED: