

Comment [KASI]: The policy, Legal References, and footnotes are updated to incorporate 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80, amended by P.A. 99-667 and clarify School Code requirements for student teacher complete criminal history records checks.

Professional Personnel

Student Teachers¹

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense ~~listed in that would subject him or her to license suspension or revocation pursuant to~~ Section 5/21B-80 of the School Code ~~2 or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987~~ is permitted to student teach ~~or complete field or other clinical experience~~.

Before permitting an individual to student teach, ~~begin a required internship or participate in any field experience~~ in the District, the Superintendent or designee shall ensure that:³ _

1. The District performed a ~~105 ILCS 5/10-21.9(g) complete criminal history records check~~ Check as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.⁴

A ~~105 ILCS 5/21.9(g) complete criminal history records check~~ Check pursuant to 105 ILCS 5/10-21-9 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105; ~~amended by 97-154~~).

~~The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.~~

¹ State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This sample policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions which exceed these requirements. When a policy's subject matter is superseded by a bargaining agreement, the school board policy may state, "Please refer to the ~~current Professional Agreement between the Classroom Teachers' Association and the Board of Education~~ applicable collective bargaining agreement(s)."

² ~~P.A. 99-667 amended the School Code at 105 ILCS 5/10-21.9, 5/21B-15, and 5/21B-80(b) to carve out an exception allowing individuals with convictions involving certain drug offenses to obtain educator licensure or reinstate a license suspension/revocation seven years after the end of an individual's sentence for these certain drug offenses. See 5:30-AP2, Investigations, for a list of these carved-out drug offenses.~~

³ ~~105 ILCS 5/10-21.9(g) applies to individuals who will be student teachers or who are beginning a required internship. For boards that want to include students participating in any field or clinical experience, amend the introductory phrase to state "Before permitting an individual to student teach, or begin a required internship, or participate in any field experience in the District, ..." For more discussion about students participating in any field or clinical experience, see fn7 below.~~

⁴ ~~The requirements for physical fitness and freedom from communicable disease apply to student teachers as of 7-16-2014 (105 ILCS 5/24-5, amended by P.A. 98-716).~~

The School Code requires ~~Each individual student teacher~~ beginning or beginning a required internship ~~to must provide the District with~~ written authorization for, and pay the costs of, his or her 105 ILCS 5/21.9(g) criminal history records check (including any applicable vendor's fees). 5 Upon receipt of this authorization and payment, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police. 6 T, and the Superintendent or designee will provide each student teacher with a copy of his or her report. 7

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities. teacher may be eligible for Continuing Professional Development Units (CPDU) for supervising a student teacher or teacher education candidate in clinical supervision. 8

Comment [MB2]: Repealed, eff. 12-27-13 (School Code provision, 105 ILCS 5/21-14) and eff. 6-30-14 (Administrative Code provision, 23 Ill.Admin.Code 25.875).

LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/1.
105 ILCS 5/10-21.9, 5/21-14(e)(3)(E)(viii), 5/10-22.34, and 5/24-5.
23 Ill.Admin.Code §25.875.

CROSS REF.: 5:190 (Teacher Qualifications), 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

5 105 ILCS 5/10-21.9(g).

6 Id.

7 Id. 105 ILCS 5/10-21.9(g), amended by P.A.s 97-154 and 97-607, require Aa student teacher or individual beginning a required internship to must undergo a fingerprint-based State and national criminal history records check and checks of the Statewide Sex Offender Registry and Statewide Murderer and Violent Offender Against Youth Registry prior to participating in any field experiences in the school. The statutory phrase "...prior to participating in any field experiences" involves student teaching only. For information about criminal history records checks—screenings or fingerprint-based criminal history records information checks for students doing field or clinical experience other than student teaching, see number two in the subhead titled Screening Individuals Who are Likely to Have Contact with Students at School or School Events in 4:175-AP1, Criminal Offender Notification Laws; Screening.

20 ILCS 2635/7(A) requires the student teacher's written authorization and a district to provide a copy of the reports, and 105 ILCS 5/10-21.9 requires the student teacher to pay for the costs of the criminal history records check. *LiveScan* is the recommended equipment for criminal history records checks. The language in this policy does not distinguish whether the district uses an authorized LiveScan vendor or owns or leases its own LiveScan equipment. Delete "(including applicable vendor's fees)" if the district owns or leases its own LiveScan equipment.

For more guidance and information on navigating the records laws surrounding criminal history records checks, along with a LiveScan vendor directory, see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/pdf/guidance_chr.pdf.

8 105 ILCS 5/21-14(e)(3)(E)(viii); 23 Ill.Admin.Code §25.875.