Other Employees

Prior to employment, applicants for positions that do not require a license issued by the State Board of Education or that involve the operation of vehicles of public transportation must submit the following documents:

A. An application for employment;

B. Written references and recommendations for employment;

C. Copies of any specific license or certificate as may be required by law or by the Board or the School administration for the position sought;

D. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check at the time of application and then by the fifth of September every five years thereafter, unless the employee is a bus driver, in which case every six years thereafter. After the initial background checks, the employee will need to provide only an updated FBI criminal background check if the school previously requested a BCI criminal background check, and if he/she presents proof of having been an Ohio resident for the five-year period preceding September 5 of the applicable year. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

The School shall not employ any individual in any position if the State Board of Education permanently revoked or permanently denied the individual a license under Revised Code Section 3319.31, or if the individual entered into a consent agreement in which the individual agreed to never apply for a license again after the date of the agreement.

In certain circumstances, an individual who would otherwise be disqualified may be hired or retained as an employee if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses.

For an applicant, other than a school bus or van driver, to be rehabilitated, (1) the offense is not an absolute bar offense as defined in O.A.C. 3301-20-03(A)(6); (2) the offense cannot involve a victim who was a minor or a victim who was or is a student; (3) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (4) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (5) the individual is not a "repeat offender" (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (6) upon request by the school, the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (7) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served

by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (6), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

To qualify as rehabilitated, bus or van drivers must establish that (1) the offense is not a non-rehabilitative offense as defined by O.A.C. 3301-83-23(A)(6); (2) the offense did not involve a victim who was a minor or a victim who was or is a student, (3) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; (4) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. If a person who is employed by a school or school transportation provider is arrested, summoned, or indicted for an alleged violation of a non-rehabilitative offense, the Principal or his/her designee or chief executive officer of the transportation provider shall suspend that person from all duties that require the care, custody, or control of a child during the pendency of the criminal action against the person.

Prior to rendering a decision on employment, the School shall provide an employee the opportunity for a meeting, if requested by the employee, where the employee may provide evidence of rehabilitation; however, the School's decision shall be final and not subject to appeal.

As a condition of initial or continued employment, the School may request the applicant or employee to be evaluated by a licensed provider (e.g. physician, psychologist, psychiatrist, independent social worker, professional counselor, chemical dependency counselor, etc.) and/or successfully complete a recognized and/or certified treatment program relevant to the nature of the conviction. Unless otherwise specified in an employee contract or collective bargaining agreement, the employee or applicant shall bear all direct and associated costs of the evaluation and treatment program. Failure on the part of an applicant or employee to comply with the School's request may be considered by the School as a factor against initial or continued employment.

The School shall maintain thorough documentation of it's proceedings and decision making regarding employee rehabilitation.

Employees must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment. Employees may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for the position.

R.C. 3319.291; R.C. 3319.39; R.C. 3327.10(J); R.C. 3319.391; O.A.C. 3301-20-03; O.A.C. 3301-83-23 (Bus Drivers).