

# Criminal Background Policy For Teacher Candidates

The purpose of this policy is to outline Elmhurst University's procedures regarding criminal background investigations for students interested in gaining admission to the University's teacher education programs and securing fieldwork or student teaching experiences required for licensure. Among other things, this policy informs students in advance of potential problems in completing a teacher education program at the University if the student has a criminal history that appears on a criminal background investigation. Students who are not eligible for admission to a teacher education program or to be retained in program due to a criminal background review may be eligible for other degree programs at the College.

## Policies And Procedures For Background Investigations

Criminal history records check results (CBI) are required in all teacher education programs at the University : (a) prior to admission to a teacher education program and (b) prior to the time a teacher candidate begins a student teaching experience. The CBI must have been completed within one year at the time of application to program. CBIs for student teachers must be completed within the academic year (i.e., after January in the year of fall student teaching; after June the year prior to spring student teaching). It is the students' responsibility to ensure that these required investigations are performed in a timely manner and to assume any costs associated with such investigations.

The University's requirement that all teacher candidates for Illinois licensure submit the results of any criminal history records check by the Illinois State Police to the Department of Education and provide copies of such results to all hosting schools is consistent with the Illinois law that requires Illinois school districts/boards to conduct criminal history records checks on applicants for licensed and non-licensed positions of employment. The University will assist teacher candidates by providing them with information about background investigations and opportunities to obtain them through outside companies or agencies. Candidates are responsible for all fees connected with this procedure. In compliance with the School Code, school districts/boards require an FBI criminal history records check and may require other additional background information in addition to the criminal history records check by the Illinois State Police. Evidence of a criminal history records check must be provided upon request by any school/district official or any Department of Education faculty or staff member with responsibility for field or student teaching placements.

As outlined on the application to teacher education and the application materials for placement in student teaching, teacher candidates may not be admitted to a teacher education program, retained in the program, or approved for student teaching if a background investigation determines that they have been convicted of criminal behavior that, by law, automatically prohibits them from obtaining Illinois licensure. Offenses that automatically prohibit licensure currently include first degree murder, any Class X felony, juvenile pimping, soliciting a juvenile prostitute, exploitation of a child, obscenity, child pornography, criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, some offenses set forth in the Cannabis Control Act, and some crimes defined in the Illinois Controlled Substances Act. Teacher candidates are responsible for knowing which offenses are automatically disqualifying. Information on the legal requirements for obtaining an Illinois

Professional Educator License and being hired by an Illinois school district are available at any Regional Office of Education and on the Illinois State Board of Education website. Students who are ineligible for a Professional Educator License or to be employed in Illinois public schools will not be admitted to or retained in a teacher education program.

If a background investigation reveals a criminal history that does not automatically disqualify the candidate from being licensed or employed as a teacher in Illinois, then an administrative review will be held to determine the impact of a student's criminal history on his or her status in the teacher education program. A teacher candidate will be informed in writing of the potential consequences of this history by the Department of Education Chairperson or designee. Candidates will be asked to acknowledge this formal notification and to allow the Department of Education to discuss the criminal history records check information with any school district/board officials in which field experiences or student teaching are being requested. An administrative review will be conducted by the Department's Performance Review Committee as outlined in the Department's Guide to Policies and Procedures for Teacher Education Programs. The Committee will recommend whether the candidate should be retained in the program and will inform the teacher candidate of the right to appeal its decision to the College's Teacher Education Committee. The decision to accept a teacher candidate with an offense on his or her criminal history for all school placements will be made by the school district/board, not by the College. Candidates should be aware that some schools districts/boards may limit or deny their presence in a school based on charges rather than convictions or based upon offenses that are not automatically disqualifying under Illinois state law.

At no time should students represent themselves as Elmhurst University teacher candidates and work with P-12 students if they have a record of any criminal offense unless they have been expressly approved to work with P-12 students by the school district/board in question. To participate in schools with any offense requires that the Department of Education communicate this status to the hosting school and that the teacher candidate provides the school with a copy of the results of a current criminal background investigation before any field experience is undertaken. As noted above, the school district/board retains the authority and discretion to determine whether to accept a student for field experiences or for student teaching. Concealment or misrepresentation of a criminal history is a violation of the Department of Education's Academic Integrity policy as outlined in the Department's Guide to Policies and Procedures for Teacher Education Programs and will result in a recommendation to remove the student from the teacher education program. The Department of Education's policies and procedures are not a substitute for actions that may be taken by Elmhurst University as set forth in the E-Book.

A copy of the criminal history records check results will only be retained by the Department when an offense is recorded. All copies of criminal history records check results and any accompanying records will be retained in a separate file by the Department of Education Chairperson or designee. The documentation will be shared only with Elmhurst faculty and staff on a "need to know" basis. This documentation will also be available to the student upon request. All copies of criminal history records check results as well as other required documentation (e.g., TB test results) must be provided by teacher candidates directly to their hosting school districts. The University does not provide copies of any criminal history records check results directly to schools. The University informs school districts/boards of this policy in communications regarding field experiences, in formal placement documentation for field experiences, and as part of the contracts signed by school districts/boards that accept Elmhurst student teacher candidates for student teaching.