

## **Frequently Asked Questions:**

*How can I find out if a current BCPS employee or applicant has ever been Fingerprinted/Background Checked?*

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*I was fingerprinted for a job that I worked at six months ago, why do I have to do it all over again for this job?*

*I was previously fingerprinted for Child Care at a job I held prior to applying to work for BCPS. Can I use my current CJIS report and CJIS Reference Number as proof that I have been fingerprinted and Background Checked?*

*When I was fingerprinted for another job, I received a letter from the Criminal Justice Information System (CJIS) advising me that I had no criminal history. The letter also contained a 12-digit CJIS reference number. I don't understand why I just can't provide BCPS with a copy of my CJIS clearance letter that shows I have a clean background.*

*I retired from the school system last month, and I would like to return to the school system as a substitute teacher. When the requirement for background checks was established in 1986 I was "grandfathered" and was not required to undergo a background check at that time. Do I need to be screened now that I wish to teach again?*

*I completed the Background Check Form at the Fingerprinting Office. The form asks about convictions, probation before judgment offenses (PBJ), and pending criminal convictions. Why do I have to provide this information?*

*I have more than one conviction for a minor offense. When completing the Background Check Form at the Fingerprinting Office, should I list all of the convictions and probation before judgment offenses (PBJ), or just the most serious crime?*

*What does Baltimore County Public Schools receive from agencies providing background check information?*

*Is there any way to check the status of an employee's clearance status or applicant's Pre-employment Investigation?*

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*What type of review is conducted on completed Background Investigations and how will I know the results of my own investigation?*

*I was fingerprinted and then received a small wallet-sized card in the mail bearing a 12-digit reference number. Several weeks after receiving this card, I received a letter advising that my fingerprints were rejected. I do not understand why I received this letter. Has my background check status changed?*

*How many types of Fingerprint or Background Check ID Cards are there?*

*My Fingerprint ID Card has an expiration date. Does that mean that I need to be fingerprinted a second time once the card expires?*

## **How can I find out if a current BCPS employee or applicant has ever been fingerprinted/Background Checked?**

Personnel Officers and certain Administrative employees having access to BCPS Personnel Records also have access to a screen in the AMS System called "EIND." After looking up the employee's name in AMS, use the "go to" button and select the screen named "EIND." Once on the EIND screen you will see a field titled "Reference Number." A 12-digit number or other entry in this field indicates that the person has been background checked. If there is no entry in the field, the person has not been background checked.

Beneath the Reference Number field is a field named "Expiration Date." If the date in this field is 99/99/99, this indicates that the background check for this employee is ACTIVE. If there is any other date in this field, this tells you that the background check for this employee has expired.

A background check can expire for many reasons, for example: A break in service greater than 365 consecutive calendar days, termination, resignation, or a conviction for a criminal offense that prohibits employment in a child care environment.

If a person has an ACTIVE background check, you will also need to check the field named "Status" to ensure that the employee's background is clear. If an employee has been Fingerprinted/Background Checked, there will be an entry in this field of either "C" (CLEAR) or "NC" (NOT CLEAR).

**I know that an employee was Fingerprinted and had a Background Check completed at the time of hire. How do I know whether the Fingerprinting event and Background Check on the employee was approved by BCPS?**

When an employee has been fingerprinted, the results of his/her "Background Check" are recorded in the AMS System under "Personnel" on the screen named "EIND." (See the FAQ titled "How do I know if a current BCPS employee has ever been fingerprinted?" for more information about accessing the EIND screen)

There is a field on the EIND screen named: "Status." If an employee has been Fingerprinted/Background Checked, there will be an entry in this field of either "C" (CLEAR) or "NC" (NOT CLEAR).

A "C" status entry means that the employee's background is clear and that he/she has no criminal convictions, probation before judgment dispositions, other dispositions, pending charges, or Department of Social Services (DSS) findings for Indicated child abuse/neglect that would adversely impact upon their continued employment in BCPS.

"NC" status entries mean that during a pre-employment background check, a conviction(s), disposition(s), pending charges or DSS findings described above were identified that precludes employment within BCPS. The "NC" status will also be assigned when the background check on the employee revealed the existence of the above listed information and the employee falsified employment records to conceal such information.

An "NC" status could also be assigned post-employment if the employee is convicted or receives a probation before judgment disposition for certain criminal offenses, or receives a Department of Social Services finding for Indicated child abuse/neglect, or is identified as the subject of willful misconduct on duty that results in termination for gross misconduct.

## **What can be done to speed up the Background Check processing time?**

Applicants must ensure that all information they provide on their background application form and in the remainder of their screening packets are legible and all questions are answered.

- If a question does not apply state it does not apply by entering the letters "NA."
- Properly State and verify all legal names, also known as (AKA) names and SSN.
- Full date and place of birth.
- Double-check all numbers.
- Providing as much identifying data as possible. When possible include copies or transcripts of information contained on Driver Licenses, Social Security Cards, Student ID's, State ID's or other forms of identification. When transcribing data include all information from the document.

## **What will slow the processing time down?**

**Number one answer:** Possible criminal information awaiting court verification. Also, illegible or difficult to read application information; using a nickname instead of a legal name; wrong or no SSN; wrong or illegible DL# or DOB. In addition, incomplete, or missing information on the employment application or background investigation forms will cause fingerprint cards to be returned for re-processing. One additional item that can slow processing time is the State or Territory that is being checked - some states take longer than others.

## **What are some of the reasons why a Security Screen will be rejected?**

- Screen form or Authorization for Release of Information is not signed, not dated or is over 30 days old.
- Employment Application not signed and dated
- Criminal conviction questions not answered or not fully answered
- Residences or Work experience does not cover required time frame.
- No Social Security Numbers provided.
- Illegible entries on application form.

**I was fingerprinted for a job that I worked at six months ago, why do I have to do it all over again for this job?**

The government does not keep a file of everyone's fingerprints. Only the fingerprints of people who have been arrested or who are working in highly sensitive government positions are on file in the FBI and the State computers.

That being the case, when you are fingerprinted for a Background Check, the fingerprint card is destroyed after the check is made. The law does not allow those fingerprints to be stored, and therefore, if you apply for a new job, you must be fingerprinted and the background check is done all over again.

*(After all, just because a person had a clean background the last time he or she was checked, doesn't mean they haven't committed a crime since then. The fingerprints will tell for sure!)*

Note: Other states may differ on procedure.

**I was previously fingerprinted for Child Care at a job I held prior to applying to work for BCPS. Can I use my current CJIS report and CJIS Reference Number as proof that I have been fingerprinted and Background Checked?**

That depends. There are two different scenarios which apply in this instance.

If an applicant was previously screened for child care at another agency (school or day care) the agency affiliation can be transferred to BCPS only if the original date of fingerprinting is less than 180 days old. Any request made to CJIS to transfer the agency of record that is older than 180 days will be rejected. (See the FAQ titled: I was fingerprinted for a job that I worked at six months ago, why do I have to do it all over again for this job?)")

Those applicants who were previously fingerprinted for another agency (school or day care) and whose **original fingerprinting date** is more than six-months old will be required to undergo an entirely new background check for BCPS. The new background check includes being fingerprinted.

**When I was fingerprinted for another job, I received a letter from the Criminal Justice Information System (CJIS) advising me that I had no criminal history. The letter also contained a 12-digit CJIS reference number. I don't understand why I just can't provide BCPS with a copy of my CJIS clearance letter that shows I have a clean background.**

When someone is fingerprinted for childcare, whether it is for a school, parks and recreation facility, or a daycare business, CJIS attaches an agency code to the applicant's file. The fingerprinting event not only tells the employer that the applicant is clear (or not clear) at the time of hire, but also flags the CJIS record with the employer's agency code so that the employer is immediately notified in the event that employee is criminally charged, or arrested post-employment.

The fact that an applicant can produce a CJIS report at the time of hire does not mean that the person was fingerprinted for BCPS agency, or whether he/she has been convicted of an offense since the date listed on the report.

Additionally, the ability to produce a CJIS report based on previous employment only proves that any flag attached to that record was assigned for the agency or County where the person last worked and not Baltimore County Public Schools. For example: If the person had been fingerprinted for Frederick County Parks and Recreation, the CJIS flag on that record would be set to notify that agency, but no others. Should the applicant/employee ever be arrested, convicted, etc. Frederick County Parks and Recreation would be notified, but not BCPS.

It is BCPS' responsibility to ensure that all applicants/employees have been fingerprinted specifically for BCPS (our agency) so that BCPS can be properly notified should their ever be an incident that might impact upon the person's continued employment.

All applicants offered a position with BCPS must visit the fingerprinting office to initiate their background investigation. Although there are times when it may be possible to transfer a CJIS record from another agency, the time limit imposed by CJIS is very restrictive. Maryland CJIS requires re-printing anytime the original fingerprinting date is more than 6 months old.

**I retired from the school system last month, and I would like to return to the school system as a substitute teacher. When the requirement for background checks was established in 1986 I was "grandfathered" and was not required to undergo a background check at that time. Do I need to be screened now that I wish to teach again?**

The answer is yes. Teachers that were already employed when the law was enacted were "grandfathered" at that time. That exception expired when you retired from BCPS; therefore, you are required to undergo a background check before re-entering the school system. The term for someone in your status is "RETIRE-REHIRE."

**I completed the Background Check Form at the Fingerprinting Office. The form asks about convictions, probation before judgment offenses (PBJ), and pending criminal convictions. Why do I have to provide this information?**

The Family Law Article (5-566) states that “An individual that fails to disclose a conviction, a probation before judgment disposition, a not criminally responsible disposition, or the existence of pending criminal charges for a criminal offense, or an attempted criminal offense shall be guilty of perjury and upon conviction is subject to the penalty provided by law.

**I have more than one conviction for minor offenses. When completing the Background Check Form at the Fingerprinting Office, should I list all of the convictions and probation before judgment offenses (PBJ), or just the most serious crime?**

You will need to list each and every conviction, PBJ disposition, pending criminal charges, or other disposition in their entirety. Although the space on the form is limited, you can use a separate sheet of paper to list additional information if it is necessary. Sometimes applicants feel that extremely old convictions, or very minor infractions of the law are not worth the trouble of recording on the background check form. When BCPS receives the background check report, these other incidents could be listed. When that occurs, the application is reviewed from the standpoint that the applicant may have intentionally withheld information. Under those circumstances, the application may be rejected based upon the perception that the applicant falsified or misrepresented certain information. In many cases, it is not whether the applicant has ever been convicted of a crime, or received a PBJ disposition, but whether they honestly disclosed the information on their Background Check form and Application for Employment.

**What does Baltimore County Public Schools receive from agencies providing background check information?**

Agencies send a written report of the background check results. Results include information on previous convictions, probation before judgment dispositions, pending criminal cases, and other related information.

## **Is there any way to check the status of an employee's clearance status or applicant's Pre-employment Investigation?**

Contact the Office of Investigations and Records Management by email or telephone to make inquiries concerning any background investigation.

## **Does my Background Investigation ever expire?**

Once an applicant has been background checked for Baltimore County Public Schools the background check will remain valid indefinitely, unless one of the following occurs:

- The applicant is not hired after initiating the background check and 365 calendar days pass without being hired.
- The applicant works as a "temporary" or "substitute" employee within BCPS and then has a lapse in service of 365 consecutive calendar days or more.
- The applicant or employee is convicted of, receives a PBJ disposition, or is found not criminally responsible for certain crimes enumerated by the State of Maryland, not limited to crimes of violence, moral turpitude, controlled dangerous substance, or child abuse.
- The applicant or employee is arrested, or investigated by DSS or law enforcement in any matter and refuses to cooperate in a BCPS investigation to determine suitability for continued employment.

Should any of the above situations occur, the Office of Investigations and Records Management will change the employee's/applicant's clearance status from "Clear" to "Not Clear." In those instances where an applicant or employee was invalidated due to the 365 time limit imposed, he/she may reapply for a new background investigation, however, a new processing fee will apply.

## **What are some of the most experienced problems with completing the Application Forms?**

One problem that surfaces from time to time is applicant's treating the application for background check and the employment application as one form. Applicants sometimes believe that since one item of information is on the application that it does not need to be repeated again on the background check form. This is not true. Each form should be completed as though no other information is being provided. These misstatements or omissions could result in a finding of falsification of the employment application and rejection of the employment application. These issues also add to the delay in processing the background check, as we must research additional information with the hiring or personnel manager.

## **Who is Notified of the Results of the Background Investigation?**

When an applicant receives a clearance status of "Not Clear," The Office of Investigations and Records Management will forward the results of any investigation revealing derogatory information, to the appropriate hiring manager or Department supervisor indicating that potentially disqualifying information (PDI) was discovered and the nature of the derogatory information.

The Office of Investigations and Records Management also provides a Pre-Adverse Disclosure Notice to applicants that are determined to be "Not Clear." These notices are sent in accordance with guidelines established under the Fair Credit Reporting Act (FCRA), and provide the applicant with an opportunity to rebut the information discovered during the background investigation.

Under no circumstances do the results sent by the Office of Investigations and Records Management authorize the hiring of an individual.

## **What else can I do to ensure that my form is not rejected for processing or delayed?**

**Number one answer: Answer All Questions!**

Also, watch for the use of nicknames. There have been a number of screens that did not have the individuals' legal name listed and in some cases had the applicant's own name misspelled! We have had individuals spell their name one way on the screen and then use a different spelling on the application and we've even identified a third spelling upon receiving the background check results by checking their SSN. It is extremely important that each applicant lists

his or her legal name. There is additional space provided on the background check form for aliases, nicknames and maiden names.

## **What type of review is conducted on completed Background Investigations and how will I know the results of my own investigation?**

Upon completion of the background investigation, the Office of Investigations and Records Management will review the information obtained during the investigation to determine if there is any derogatory information, which could be potentially disqualify the applicant under current policy, guidelines or State law.

Additionally, the entire packet is reviewed to ensure nothing was missed during the initial review, and that there are no discrepancies between the information provided and that which was discovered during the investigation.

Upon conclusion of the final review, the Office of Investigations and Records Management will classify the applicant's background investigation in one of two ways: Clear or Not Clear.

A disposition of "Clear" means that there was no adverse, or potentially disqualifying information (PDI) discovered in the BI pertaining to the applicant.

A "Not Clear" disposition is rendered when PDI is discovered that indicates the applicant could be restricted from working for BCPS because of a prior conviction or disposition, or that the applicant may have falsified their application for employment and/or application for background check.

Applicants receiving a "Clear" Status will either have their fingerprint identification card mailed to their residence, or the card will be made available for them to pick up in the Fingerprinting Office.

Approximately 3 – 4 weeks after being fingerprinted, applicants will receive a copy of their "printed statement" from the Criminal Justice Information System" (CJIS) that reports statewide criminal history information. About 10 – 12 weeks after being fingerprinted, applicants will also receive a copy of their FBI report. Copies of these same reports are provided to Baltimore County Public Schools.

**I was fingerprinted and then received a small wallet-sized card in the mail bearing a 12-digit reference number. Several weeks after receiving this card, I received a letter advising that my fingerprints were rejected. I do not understand why I received this letter. Has my background check status changed?**

The card you received is a Fingerprint Identification Card. This is proof that you were fingerprinted for Baltimore County Public Schools. Once you have been fingerprinted the two fingerprint cards (Orange Card = State Card, Blue Card = FBI Card) are sent to the appropriate agency for processing. The fingerprint analysts examine these cards and sometimes determine that either the quality of the fingerprints are too poor to provide an adequate comparison of records in their database, or that the information listed on the card is illegible or inaccurate (See FAQ titled: "What will slow down the processing time?").

Should you receive a letter advising you that your prints were rejected, were of poor quality, or that you need to be reprinted, it is your responsibility to contact the Office of Fingerprinting at 410-887-0309 as soon as possible to schedule an appointment to be reprinted. If you are reprinted within 90 days of your original fingerprinting date, your reprinting will be done at no additional charge. Those personnel who do not present themselves for reprinting within the allotted 90 day time period will be required to pay for a new background check if they desire to continue working for BCPS.

Those personnel who refuse to be reprinted will be terminated from employment, or suspended without pay until they meet the fingerprinting requirement.

### **How many types of Fingerprint or Background Check ID Cards are there?**

There are two types of Fingerprint ID Cards and one kind of Background Check ID Card.

- Black and White Fingerprint ID Cards are given to full time employees and bear no expiration date
- Green and white Fingerprint ID Cards are given to Substitute Teachers and have a two-year expiration date.
- Red and White Background Check ID Cards are given to Independent Contractors and certain volunteers who only undergo a Commercial Background check. These cards also bear a two-year expiration date.

**My Fingerprint ID Card has an expiration date. Does that mean that I need to be fingerprinted a second time once the card expires?**

No. Once a Green and White Substitute Teacher Fingerprint ID Card expires, the employee simply needs to contact the Office of Investigations and Records and request a new card. Before issuing a new card, the Office of Investigations and Records will verify that the employee has worked within the 365 calendar days immediately preceding the expiration date on the card. Those personnel who have not worked for BCPS for more than 365 consecutive calendar days will be required to undergo a new background investigation. All others will be issued a replacement card bearing a new expiration date.

Independent Contractors and Volunteers who have been issued Red and White Background Check ID Cards should contact the Office of Investigations and Records and advise that they are still affiliated with BCPS. Before issuing a new ID Card the Office of Investigations and Records will request an updated Commercial Background check on the Volunteer or Contractor.

NOTE: Volunteers and Independent Contractors that apply for employment with BCPS will be required to undergo a complete background check to include fingerprinting, regardless of the fact that they possess a Red and White Background Check ID Card.