

Criminal Background Checks & Screening Essentials

Best practices in the recruitment and screening of new hires
(e.g. background checks/assessment recommendations)

Part of the ISS Child/Youth Protection Series; 16-01

Safe Teachers, Safe Schools

Behind every safe school is a team of trustworthy, safe teachers. We celebrate thriving classrooms, where children are guided by adults who are there to teach, care, and nurture – not harm.

This flourishing environment begins with a school's comprehensive Child/Youth Protection Program, where hiring upright educators includes applicant screening and criminal background checks.

If you have waded into the waters of Child Protection and compliance with legal recommendations, perhaps these questions are familiar:

- What are the essentials of screening an applicant?
- How do I know if the background checks agency I select is reliable?
- What if I missed something critical to evaluating the moral character of this potential hire? Am I placing children at risk?

International School Services (ISS) hopes to share with you some resources that we have found incredibly helpful in this process. While no screening protocols or background checks are fool-proof, the following pages provide guidelines to help your school make wise choices. We know this area of policy can be as daunting as it is crucial, so as a non-profit working to foster safe and thriving schools around the world, we sincerely hope the following four sections are useful to you!

SECTION I: Choosing an Outside Background Checks Agency

As you search for a responsible agency to conduct criminal background checks, here are some key points to watch for:

- Do the agency's screening procedures include **FBI fingerprinting protocols** for individuals who may have resided in the U.S.? Considering that U.S.-based commercial checks often rely on systems-driven data, each criminal background check is only as reliable as each local vicinity. Since local vicinities do not always thoroughly record information, an FBI check provides an important, rigorous secondary or even primary screen. The FBI check can also determine if an individual is on the U.S. government's radar, a case which may have international implications.
- Knowing an agency's procedures for examining **sex offender registries**, as well as its procedures for conducting **international background check searches**, is vital. Who does the primary agency utilize for conducting international searches, and do they include international sex offender registries? How reliable is the third party agency and its concluding reports?

Other questions for screening an agency may include:

- How long has the agency been in existence?
- Has the agency been sued due to any inaccuracies contained in its completed screening reports?

- What professional or accreditation standards does the agency maintain for procuring background checks?
- Who are some of the agencies top clients?
- Do local, state and government agencies also rely on this screening agency for conducting background check screenings?
- Can you speak with them for a referral?
- How many background checks are completed by the agency on an annual basis?
- What are the agencies' protocols for checking the accuracy of its completed reports?
- How does the agency maintain confidentiality of clients' personal identification information?
- What technology is used to secure clients against identity theft?

SECTION II: Applicant Verification of Completed Screening Reports

Even the best agencies' background checks can contain errors. Prior to sending any completed report to the hiring organization, agencies should provide candidates with an opportunity and mechanism to:

- Review the screening's accuracy
- Vet any discrepancies
- For the hiring school's consideration, explain any rehabilitation that has occurred with regards to any past documented conduct
- Approve in writing that the screening report may be forwarded to the hiring third party, once agency and candidate come to resolution

This vetting process decreases the likelihood of a hiring decision based on false information.

SECTION III: Applicant Background Check Disclosures and Contingencies

Ideally, unethical candidates would not even apply for the job. While there is no catch-all method, schools may in fact deter unethical applicants early on by clearly stating the background check policy (*having consulted with local legal representation* **).

Consider how the following disclosure communications may deter a harmful candidate:

A. School's Initial Disclaimer Information (at the time of the offer):

"In order to uphold high recruitment standards in international education and potential work permit/visa/travel requirements, it is important that our organization be aware of any of the following information before we proceed with your application for employment:

- *Have you ever been convicted of a crime?*
Yes or No (If yes, please summarize below)
- *Have you ever been convicted or accused of a crime involving children or a minor?*
Yes or No (If yes, please summarize below)

B. Letter of Intent (Offer Letter) Clause:

"Your employment is contingent upon the successful completion of a criminal background check. Due to international best practices in the safety of children and youth around the globe, and as a result of potential work permit/visa/travel restrictions due to prior criminal convictions, all potential hires are required to complete background authorization/disclosure documentation and the successful completion of a background check."

C. Once a signed offer letter is received, a school may want to send the applicant the following disclosure communication, prompting that a “background check” screening is required:

“There is an additional step, a criminal background check, that you need to complete in connection with your employment [OR...prior to receiving your final contract]. The procedure for initiating this screening is: _____. Your employment contract is contingent upon the successful completion of your background check. [If the final contract will not be issued until after a background check is completed, you may add the following: “After the processing is complete, we will send you the contract for you to sign]. After you return the contract, our office staff will provide you with the details of the work permit and you will need to begin filling out the documentation.”

D. Contingency Language for the “Final Contact” so that it may be signed prior to the completion of a background check:

“Pre-Employment Criminal Background Checks (Contract Clause): This contract is contingent upon the successful completion of a criminal background check satisfactory to _____, if _____ should request such a criminal background check; failure to do so will cause these Terms and Conditions of Employment to become null and void.”

SECTION VI: Important Screening Protocols with the ITFCP Checklist

The International Task Force on Child Protection (ITFCP) serves international school communities in overcoming child and youth protection challenges. International Schools Services was a very proud founder of ITFCP in April 2014, and today, continues to earnestly press forward as an active member in ITFCP’s efforts.

Working with dedicated law enforcement officials and the medical community, ITFCP runs on a coalition of over 90 volunteers across professions: leaders of international education organizations; school leaders, counsellors, business and security managers, teachers, school accreditation, inspection and recruitment professionals. From its genesis in May of 2014, this ITFCP’s Charter has collected resources, expertise, and partnerships to help develop comprehensive child and youth protection programs.

ISS especially recommends ITFCP’s newly formulated “**Screening and Assessment Practices**” **Checklist (June 2016)**. The guide recommends to schools crucial considerations for candidate profile information, reference check questions, referee and credentials verification protocols, background checks, and other candidate interview and marketing strategies. We have attached the complete document in Appendix A.

Have more questions about how to make your school safer?

That’s why the ISS Compliance & School Services team members are here. For questions or a preliminary consultation on how we can help, please contact Anthony Maimone (amaimone@iss.edu), Lisa Lupico (llupico@iss.edu), or call us 609-452-0990 (ext. 436 or 378).

Thank you making a world of difference with us!



APPENDIX A

International Task Force on Child Protection (ITFCP): Recommended Screening and Assessment Practices for International School Recruitment¹

Candidate Profiles			
<i>The school requires of each candidate a thorough personal and professional profile, including the following.</i>			
Name	Y	N	Notes
Aliases or other names used now or in the past	Y	N	Notes
Gender	Y	N	Notes
Date of Birth	Y	N	Notes
Citizenship	Y	N	Notes
Secondary Citizenship	Y	N	Notes
Marital Status	Y	N	Notes
Country of Residence	Y	N	Notes
Address	Y	N	Notes
Additional Address	Y	N	Notes
Email Address	Y	N	Notes
Phone Number	Y	N	Notes
Education (Institution/degrees/dates, where relevant)	Y	N	Notes
Certification (Country/state/region/province/expiration date)	Y	N	Notes
Total number of years in education	Y	N	Notes
Total number of years living outside of your birth country	Y	N	Notes
Curriculum Experience	Y	N	Notes
Work History (Name of school/employer/address/reason for leaving/eligibility for re-employment)	Y	N	Notes
Explanation for any gaps in work history	Y	N	Notes
Names & contact details of references (personal and professional)	Y	N	Notes
Criminal History (arrests/convictions)	Y	N	Notes
The candidate makes a declaration of full disclosure and acknowledges that any agreement of employment or subsequent employment may be terminated immediately for misrepresentation.	Y	N	Notes
The candidate provides the information requested above in a new application form rather than in an existing CV or other format.	Y	N	Notes
The dossier produced by the candidate is reviewed by at least two people (this may include a recruitment agency providing services to the hiring institution.)	Y	N	Notes

Reference Checks			
<i>The school has a clearly written statement of its hiring procedures including the process by which the institution reviews and validates references. The candidate provides specific minimum information for each referee.</i>			
Core Practices			
The candidate provides at least three confidential <i>professional</i> references	Y	N	Notes
One or more of the confidential references is a direct supervisor of the candidate (minimally at the Assistant Principal level).	Y	N	Notes
At least two confidential references are secured from the last two positions the candidate held during the past 6 years, with one or more of the references supplied by an assistant principal or principal.	Y	N	Notes
At least two supervisory references are contacted directly, either through technology (e.g. telephone, Skype, etc.) or face to face.	Y	N	Notes
Questions in direct exchanges include: <ul style="list-style-type: none"> Do you have any concerns about the candidate working unattended with children? Did any of the candidate's colleagues, students or parents express such concerns? Would you rehire the candidate? (why or why not according to the response received) 	Y	N	
Recommended Additional Practices			
The candidate provides at least two <i>personal</i> references (to verify candidate biographical information, including place, nature and timing of employment).	Y	N	Notes

¹ Resource: ICMEC's public website link under Education Portal/Resources/Accreditation: <http://www.icmec.org/education-portal>

Referee Verification			
<i>The school has a clearly written statement of its hiring procedures including the process by which the institution verifies the identities of referees.</i>			
Core Practices			
Referees are contacted through business email addresses (if possible, e.g. retired) or personal electronic account (e.g. WhatsApp)	Y	N	Notes
Referees are contacted through business telephone numbers (if possible, e.g. retired).	Y	N	Notes
Recommended Additional Practices			
Personal numbers are checked through available online directory services.	Y	N	Notes
Referee identities and contact details are checked using professional directories/sources.	Y	N	Notes

Credential Verification			
<i>The school has clear guidelines for the review and verification of personal and professional histories and documentation.</i>			
Core Practices			
Required documentation is collected and reviewed before a final employment decision is made.	Y	N	Notes
Required documentation is translated by a certified independent translator as necessary.	Y	N	Notes
Recommended Additional Practices			
Colleges/universities upon which education qualifications are based are legitimately accredited educational institutions. Such institutions have the power to grant their own degrees and hold either university-level accreditation awarded by a nationally recognized accrediting organization or university-level recognition by the country's Ministry of Education.	Y	N	Notes
Documents of uncertain origin are legalized/endorsed by an authorized agency.	Y	N	Notes
Formal transcripts are sent directly from the awarding institution(s).	Y	N	Notes

Criminal Background Checks*			
<i>The school requires background and criminal record checks as a precondition of employment.</i>			
Core Practices			
There is a criminal record check from the country which issued the candidate's passport.	Y	N	Notes
There is a criminal record check from the country where the candidate currently resides which is less than 6 months old at the time the candidate leaves that country.	Y	N	Notes
Recommended Additional Practices			
There are criminal record checks from every country in which the candidate has worked for more than 6 months.	Y	N	Notes

Internet Checks*			
<i>The school conducts internet checks as a precondition of employment.</i>			
Core Practices			
The school conducts an Internet search of the candidate (subject to legal counsel).	Y	N	Notes

Review of Sex Offender Registries*			
<i>The school conducts checks of available sex offender registries as a precondition of employment.</i>			
Core Practices			
The school reviews sex offender websites for each of the countries where the candidate has previously lived.	Y	N	Notes

* Accredited external agencies may be used to conduct and secure background checks, internet checks and sex offense registry checks.

School’s Interview and Advertising Practices

The school makes its commitment to child safety openly known through its interviewing and advertising practices.

Core Practices

Interviews with the candidate include the following questions. <ul style="list-style-type: none"> ● Motivation for working in education (Why teach or otherwise work with children?) ● Background (cross-checking profile and exploring patterns of movement and employment; work history discussion includes questions about whether renewal of contract was offered at each post so that reasons for non-renewal can be examined; ask about <i>arrests</i>, as opposed to convictions) ● Attitudes and behaviors (affective questions about family life and relationships: “How would you respond to...(a specific child-protection scenario)?” “How do you maintain boundaries appropriate for your role?” etc. 	Y	N	Notes
The school publicly announces its commitment to child protection in job descriptions and job advertisements.	Y	N	Notes

**** Legal Advice Disclaimer:**

ISS does not provide legal advice. ISS communications or resources, such as this document, does not contain any legal advice. ISS does not provide you, your school/organization or any other party legal advice through its public communications or any related ISS Services. **Schools are recommended to review its policies related to criminal background checks and screenings with local legal representation.**