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**AURORA PUBLIC SCHOOLS**  
**Issued August 2013**  
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**Revised October 2021**

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**APS Code: GBEB**

## **POST HIRE BACKGROUND CHECKS**

### **Felony/Misdemeanor Convictions**

If, subsequent to beginning employment with the district, the district has good cause to believe that any staff member has been convicted of, pled *nolo contendere* to, or received a deferred or suspended sentence for any felony or misdemeanor other than a misdemeanor traffic offense or infraction, the district shall make inquiries to the Department of Education for purposes of screening the employee. In addition, the district shall require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency or authorized district employee. Fingerprints must be submitted within 20 days after receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation.

Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information. Non-licensed employees shall be terminated if the results of the fingerprint-based criminal history record check disclose a conviction for certain felonies, as provided in law.

Employees shall not be charged fees for processing fingerprints under these circumstances.

### **Unlawful Behavior Involving Children**

The Board may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled *nolo contendere* to, or received a deferred or suspended sentence or deferred prosecution for a felony or misdemeanor crime involving unlawful sexual behavior. an allegation of sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

LEGAL REF.: C.R.S. 22-32-109.8 (6)(a) (*requirement to terminate non-licensed employees for certain felony offenses*)  
C.R.S. 22-32-109.9 (*licensed personnel – submittal of fingerprints and name-based criminal history record check*)