



SECTION V: EMPLOYEES

POLICY 5030

ANNUAL EMPLOYEE CRIMINAL BACKGROUND CHECK AND QUESTIONNAIRE

Student and staff safety is of paramount concern to the Board of Education. Employees who have committed criminal offenses could be a threat to the safety of these students and staff. The Board of Education commits itself to make the best possible effort to maintain a workplace safe for all students and employees.

On an annual basis, all employees of the Broken Arrow Public Schools who are employed on September 1 of each year are required to truthfully answer the Employee Annual Criminal Background Questionnaire. All forms, paper or electronic, must be returned to the Human Resources office by September 15 annually. If forms are completed on an electronic platform, the employees' specific login credentials will constitute an electronic signature.

Refusal by the employee to sign and return this form or giving false information or misinformation on this form will constitute insubordination and willful neglect of duty and may be the basis for disciplinary action, including termination of employment.

It is the duty of every employee within ten (10) days of any of the following occurrences to notify, in writing, the Superintendent:

1. If the employee is ever required to register as a sex offender under the Oklahoma Sex Offender Registration Act or under similar laws in another state.
2. If the employee enters a plea of guilty or nolo contendere to a state (any state) or federal felony charge (this includes criminal cases involving a "deferred sentence," "deferred judgment" and any "expunge of the records").
3. If the employee is convicted of a state (any state) or federal felony offense.
4. If the employee enters a plea of guilty or nolo contendere to a misdemeanor offense that originally was a state (any state) or federal felony charge (this includes criminal cases involving a "deferred sentence," "deferred judgment" and any "expunge of the records").
5. If the employee enters a plea of guilty or nolo contendere or has been convicted of a state (any state) or federal misdemeanor charge involving illegal chemical substances or illegal sexual activity (this includes criminal cases involving a "deferred sentence," "deferred judgment" and any "expunge of the records").
6. If the employee enters into a deferred prosecution agreement with a state (any state) or federal prosecutor.

Failure to provide the above referenced information, in writing, to the Superintendent within the ten-day period may result in termination for insubordination and willful neglect of duty.

Each year up to five percent (5%) of the total staff (certified, support, and administrative) may be randomly selected for a complete background check to be conducted in the same manner as pre-employment background checks for all employees.



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In addition, pursuant to Okla. Stat. tit. 57, § 589, the District shall conduct annual background checks against the Oklahoma Sex Offenders Registration Act and the Mary Rippy Violent Crime Offenders Registration Act of all District employees who provide or offer services to children.

Source: *Broken Arrow Board of Education policy Adoption, May 4, 1998.*
 Broken Arrow Board of Education policy revised, January 26, 2009.
 Broken Arrow Board of Education policy revised, July 13, 2009.
 Broken Arrow Board of Education policy revised, July 10, 2017.