

5.0 CRIMINAL BACKGROUND CHECK POLICY

Board Approved 1/2004

Criminal background checks will be conducted through the Illinois State Police Bureau of Identification at the Joliet, Illinois division. The background check will be conducted via a modem system. The limitations of the State Police check include 1) the check is limited to Illinois convictions, 2) following the request, it may take several weeks to receive the record and 3) a criminal conviction report must be reviewed prior to anyone working for the Park District.

Background checks are conducted to:

1. Protect children and adults from foreseeable harm.
2. Reduce theft and/or property damage.
3. Avoid liability for negligent hiring.
4. Improve public relations.

In the event that an employee or volunteer commits a crime while on duty, the victim of the crime will often look to the employer of the individual for potential liability. If the individual had a prior history of committing crimes, then the victim will usually claim that the employer should have known that the person was likely to commit another crime, and should not have hired him or her. Therefore:

1. It has been determined that the use of criminal background checks, in accordance with the Illinois Uniform Conviction Information Act, will assist in providing a safe environment for participants, employees and volunteers of the Geneva Park District and reduce theft of and damage to Park District property. Accordingly, the Park District shall conduct criminal background checks, following this policy, as a condition of employment or volunteering with the Geneva Park District. However, criminal conviction shall not automatically disqualify the individual from consideration for working for the Geneva Park District. Any conviction will be considered in relationship to the specific position.
2. Non-fingerprint background checks shall be required for all employees and volunteers. Individuals will be required to sign a waiver and complete a background check form.
3. Criminal background checks will be performed as soon as practical with employment or volunteering contingent on the results.
4. The results of the criminal background check will be kept strictly confidential, with only pertinent personnel having access to the results. If the report indicates no conviction, it shall be filed in the employee's

personnel file.

5. A copy of any conviction reports received from the Illinois State Police shall be sent or given to any employee checked that has a criminal record.
6. Individuals who have a positive record through non-fingerprint background checks wishing to contest their Illinois State Police file may do so through a fingerprint check, which is to be paid for by the employee. This can be arranged through the Illinois State Police Bureau of Identification (815) 740-5184.

5.01 Internal Procedure for Criminal Conviction Results

All offers of employment and volunteer work shall be contingent upon the review of the criminal conviction report. When a prior criminal conviction is disclosed, the Geneva Park District must be careful to treat similarly situated persons the same. Many employees or volunteers will be rightfully concerned with their privacy, even though criminal conviction information is public record. The Park District will take reasonable precautions to prevent embarrassment or other damage to the person being checked. The results will be kept confidential between the employee and appropriate Geneva Park District staff.

If the report indicates a conviction was identified, the record will be directed to a committee review consisting of the Director, the Department Head and possibly a Safety Committee Member. The Committee will:

1. Verify the name, date of birth, social security number, and the description of the individual given on the report to help determine that the conviction report matches the applicant.
2. If the information on the job application matches that in the conviction report the Committee shall check the employee's original application to determine whether "yes" or "no" had been marked for the question "Have you ever been convicted of a misdemeanor or felony crime?"
3. The Geneva Park District Director may request additional information, meet with legal counsel, police authorities, or others to determine if further action is necessary.
4. Further information or a meeting may be requested with the perspective employee concerning a conviction record. The review committee will consider the relationship of the conviction to the specific job in determining if the employee will be hired or retained.
5. If the employee has a conviction on record and is hired, certain safeguards may be instituted. The safeguards may include placing the employee on probation, not allowing the employee to work unsupervised, not allowing the employee to work after normal business hours (8:30 AM – 5:00 PM, Monday – Friday), etc.
6. When a person is disqualified from employment or volunteering because of a criminal conviction, the disqualified person will be notified, in a private meeting, by telephone or by mail.

5.02 Waiver and Release of All Claims Form

Dear Prospective Employee or Volunteer:

All new full-time, part-time and short-term employees, as well as all volunteers, are subject to a criminal background investigation as a condition of employment or volunteer work. The background investigation will be conducted prior to your employment or volunteer work. This procedure checks potential staff and volunteers for criminal convictions relating to inappropriate behavior.

Below is a release form giving your consent to the Geneva Park District to conduct a criminal background investigation. Please sign this consent form, complete the background check form and return both to your supervisor or the Geneva Park District office.

Please read this release carefully and be aware that by agreeing to allow the Geneva Park District to investigate your criminal background, you will be waiving and releasing all claims for damages you might sustain arising out of the criminal background check and review.

I understand that a successful criminal background check is a condition of my employment or volunteerism with the Geneva Park District.

I agree to waive and relinquish all claims I may have against the Geneva Park District and its officers, agents, servants, and employees as a result of participating in the criminal background check.

I do hereby fully release and discharge the Geneva Park District, its respective officers, agents, servants, and employees from any and all claims from damages which I may have or which may accrue to me on account of the results of any aspect of the criminal background check.

I have read and fully understand this Waiver and Release of All Claims form.

Signature Date

Information Needed for the Illinois State Police Background Check

Printed Name: _____

Address: _____

Date of Birth: _____ Social Security Number: _____

Sex: _____ → M: Male F: Female U: Unknown

Race: _____ → W: White B: Black A: Asian/Pacific I: American Indian/Alaskan U: Unknown

Job Title: _____ Circle One: PAID or VOLUNTEER