

GUARDIAN MONITORING SYSTEM FREQUENTLY ASKED QUESTIONS

The following information is intended to answer questions about the implementation of a new program called the Guardian. This program is a new component to the employee and volunteer criminal records background checks that we currently perform on employees and school volunteers. We feel this program will help us better protect the well being and safety of our students and staff.

Why do we conduct criminal records background checks on employees and volunteers and what does the current background check involve?

- The purpose of running criminal backgrounds checks is the safety of our students and staff.
- UCPS started criminal records checks on all employees hired about ten years ago.
- Policies 3-3 (Recruitment, Selection and Personnel Policies) and 3-31 (Criminal Arrests and Convictions) are the policies that are based on state laws which address these checks.

How does the Guardian Program fit into the criminal background check process?

- First of all, it's a free service offered to us by Background Investigation Bureau.
- We will continue to do the Criminal Records checks on employee and volunteer applicants.
- The Guardian will augment the criminal records check, not replace them.

How are employees and volunteers identified when their information is sent into the program. Is it by their social security number?

- No, only the employee name and date of birth are submitted, not SSN.

What if there are two people out there with the same name and date of birth and the non-employee/volunteer has charges?

- We will work it out with that employee or volunteer individually, this should not be a problem.

How often are these checks run?

- We plan to run them about once every four to six weeks. Any more frequently and the court databases would yet to have been updated.

Tell me the process that's involved, starting with what happens when something shows up on my Guardian report.

- Our Classified Specialists in the Human Resources Department have a set of guidelines they will use when they review the report that is generated by the

Guardian. They will pass on only pertinent records to the Director of Employee Relations. The Director of Employee Relations and Assistant Superintendent of Human Resources will carry out any follow up deemed necessary.

If I get a speeding ticket or other traffic violation, is this considered a serious crime?

- Most minor traffic infractions such as speeding are usually not of great concern but more serious offenses such as DWI would be handled on a case by case basis.

Who will have access to the information that is produced by the guardian? Is there any way that the general public, students or parents would be made privy to these records?

- No, this information is password protected and will be handled very confidentially. At no point will parents, students or community members have access to this information. Our Human Resources staff will be the only ones with access to the Guardian system.

What may show up on a criminal report?

- The records that could come up would be any criminal court related activity within NC matching the names submitted. We are only concerned with records of charges filed and the disposition of those cases.

So what about divorce records or child custody information?

- The Guardian only accesses criminal court records, not civil court. Items such as divorce and child custody issues will not be searched.

What about my personal credit report? Does this show up?

- We want to be clear that we are not checking credit reports. We do not request this information and do not receive this type of information.

Is the Guardian going to go back and check in the past since the first criminal records check was run on me or since I was hired to see if I have had any criminal activity?

- Once we start the Guardian running on July 1st, we will only look at records that appear from that date forward.
- We must follow the laws that protect the rights of our employees.
- Just as in the past, if we are informed of a criminal history that raises safety concerns, we will address them immediately.

If after July 1, 2009, something does show up on my record, what happens then?

- Board Policy 3-31 requires staff members to self-report any charges, beyond minor traffic violations, within 24 hours. The volunteer application states a similar requirement. Once this information is brought to us, we will review it and follow up according to board policy and state laws.

As far as the paper work that this is going to require on the part of the employee or volunteer, are we all going to have to re-do our applications?

- It's quite simple. To begin this program everyone will need to sign an updated Authority for Release of Information form. That's all that we are asking of our employees and volunteers.

If I already signed a release form for records checks to be done when I applied, why is this needed?

- The form has changed to provide the county with permission to run the criminal records check on an "on-going" basis rather than the one time when an application is submitted.

If an employee or volunteer refuses to sign, what happens then?

- The law directs the local board of education to consider refusal to consent when making employment decisions. Failure to sign the updated form may be considered to be insubordination.
- As far as volunteers, our superintendent would not feel comfortable having someone volunteering in our schools that has not been checked out using all of the tools available to us.

What type of feedback have you had so far about the Guardian?

- Long before we got to this point, we presented information to our principals and also to the representatives on the Professional Advisory Council. These representatives did an exceptional job getting the word out and forwarding to us your input. We responded to the questions and concerns and used them to guide us in making this document. In general, the feedback has been very favorable.

Any additional questions may be directed to the Director of Employee Relations at ken.roess@ucps.k12.nc.us .