

Frequently Asked Questions about HB 190 Background Check Requirements

When did House Bill 190 take effect?

An emergency clause was attached to House Bill 190 during the legislative process, which made the bill effective immediately upon Gov. Strickland's signature on Nov. 14, 2007.

Who needs to complete the BCII and FBI background checks?

*HB 190 requires all licensed and non-licensed school employees to complete the background checks. Two-year and five-year licensed educators will complete both background checks when they renew their licenses. Professional certificate holders, including eight-year, permanent, and permanent non-tax, now must have both the BCI and FBI checks completed by **Sept. 5, 2008**. The bill also requires private contractors hired by school districts, educational service centers, community schools, STEM schools, and chartered nonpublic schools to request the background checks for employees who will work in the schools.*

What does it mean to have the checks done electronically?

ODE requests that both background checks (BCI and FBI) be completed through WebCheck so the fingerprints will be sent immediately to BCI. This allows for a much quicker process of reading the prints and having the results reported to ODE. Please ask the agency you use to complete the background checks if they have both Ohio and National WebCheck machines.

Do the FBI background checks go to BCII?

Yes, the Ohio Bureau of Criminal Identification and Investigation process both the local and national background check.

Where can I go to complete the BCII and FBI background check requirement?

*It is recommended that you first check with your local school district, then neighboring school districts or your region's Educational Service Center. If none of these have the ability to electronically complete both background checks, then check with your local law enforcement agencies or use the Ohio Attorney General's website:
www.webcheck.ag.state.oh.us .*

To what address do I send the results of the background check?

You need to have the results sent to the Ohio Department of Education. Please be sure to tell the agency you use to complete the section on the form that asks where you want the results sent by checking Teacher Certification.

How long does it take to complete the background checks?

Completing the fingerprinting process should take no longer than five minutes.

How long does it take for ODE to receive my background checks results?

The time is dependent on the results of the background check. ODE should receive the results within 48 hours, although results may take longer as BCI processing time varies and/or if a record is found during the course of the criminal background check. If a record is found it could lengthen the process to several weeks. If you have the results sent to Teacher Certification, it will help shorten the processing time.

Can I send ODE a hard copy of my background check?

ODE does not accept background checks from individuals. We only use the background checks that BCI send and report to us.

Why am I required to do both a BCII and FBI background check if the FBI is a nationwide background check?

ODE has been informed that the FBI background check may not include detailed state information that is provided by the Ohio BCI check due to different reporting procedures.

I have lived in Ohio all my life, why do I need the FBI background check?

Under HB 190 the General Assembly made it mandatory that all licensed educators and non-licensed school employees complete both background checks. There were no exceptions granted for lifelong residents of the State of Ohio.

How long are the background checks valid?

Background check information is valid for one year, or 365 days, from the date that the background check was completed.

I had the background checks done six months ago; do I need to do them again when I apply for my renewal?

As long as it has been less than one year since the completion of these background checks you may submit your application for renewal without having to complete the background checks again.

I had my background checks done recently for another job; can I have those results sent to you?

If the results are less than one year old, you may have them sent to ODE for use in considering your initial or renewal application by contacting the Bureau of Criminal Identification and Investigation.

Do I need to do the background checks every time I send in an application to ODE for a license?

Current BCI and FBI reports are necessary each time an application for a license or permit is submitted to ODE. Since background checks are valid for 365 days, depending on when you reapply you may still be able to use a previous background check for the newer application, if it is less than 365 days old.

Can I use my background check from another state?

No, due to differences in state statutes regarding the scope of educator criminal background checks, a clear criminal background check from another state would not

necessarily be an indicator that a person would pass the Ohio criminal background checks.

How much should I expect to pay for the background checks?

The Attorney General's office has established the cost of the BCI background report as \$22 and the FBI report as \$24. The agency that completes the background check has the authority to set different prices so you should check with the agency prior to completing the checks.

Who is responsible for paying for these background checks?

The individual licensed educator typically pays for his or her own background checks. Unless a local district has made provisions to pay for the background checks, the licensed educator will be responsible for this cost.

What if I don't complete the required background checks?

At this time the consequence for noncompliance has not been formally established, but the recommendation is to suspend the license of the educator until the background check is completed. An educator should check with the local district for any consequences at the district level for noncompliance. New and renewal applications for licenses, certificates and permits will not be approved without this information.

Who can I contact regarding the status of my background checks?

You can contact BCI at 740-845-2375. You also may check the ODE Educator Profile on the ODE Web site (www.ode.state.oh.us). (You must establish a SAFE account – look for the gray “Sign in” button on the home page.) You then will be able to see if ODE has a valid background check (BCI and FBI) on file for you.

What if my fingerprints cannot be taken electronically or by ink?

You should contact BCI at 740-845-2375 to learn the specifics regarding this and what needs to be done in order to have criminal background checks reported.

What is BCI's address and phone number?

PO Box 365, London, OH 43140. PH: 740-845-2375

Do school volunteers need both of the background checks?

There is no mandate under HB 190 for school volunteers to complete both the BCI and FBI background checks. The legal requirements for background checks for volunteers are listed in Ohio Revised Code Sections 109.574 to 109.577.

Why does a volunteer coach need to do the background checks?

All individuals who coach for an Ohio school need to have a Pupil Activity permit and to receive this permit you need to complete BCI and FBI background checks.

Do non-licensed staff need both of the background checks?

*The bill requires all non-licensed school employees to undergo BCI and FBI background checks. **Sept. 5, 2008, is the date by which all non-licensed school employees, excluding***

van and bus drivers, must have completed the background checks. The checks for non-licensed employees must be redone every five years.

What are the requirements for school bus and van drivers?

School bus and van drivers must complete both BCI and FBI background checks when they renew their six-year certificates. The results of these background checks should be sent to the employer, and not to Teacher Certification. Additional information about driver qualifications and background checks, including frequently asked questions, are available on the pupil transportation page at www.ode.state.oh.us and searching for keywords: Pupil Transportation.

I am applying for a Pupil Activity permit. Do I have to complete these background checks?

Yes, the Pupil Activity permit is considered an educator license, thus it falls under the requirements of HB 190.

Do I send ODE my prints with my application?

No, the background checks will be sent to us from BCI. Individuals do not send their background check results directly to ODE with their applications.

My application is on hold for the BCII results; do I need to do the FBI background check now?

If ODE received your application prior to Nov. 14, 2007 you do not have to complete the FBI background check to fulfill your obligation on this application unless it would have required an FBI check prior to HB 190 due to the applicant living outside the state of Ohio within the past five years. If an application submitted prior to Nov. 14, 2007 was declined due to incompleteness or not meeting requirements, a new application would need to be submitted and would require both criminal background checks.

Why am I not notified that my application is on hold for a background check?

All applicants should receive a letter telling them that their application is on hold until the BCI and FBI background checks have been received.

If I hire someone in a position who has a current license do they need to get both background checks? (Or can they wait until their license renewal?)

Yes, under HB 190 all new hires must complete both background checks.