



STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



TO: Superintendents of Schools

FROM: Dr. Miguel A. Cardona, Commissioner of Education 

DATE: April 21, 2020

SUBJECT: Temporary Flexibilities – Fingerprinting

The purpose of this communication is to provide guidance to school districts regarding the conduct of criminal history records checks during the time that fingerprint-based checks through Department of Emergency Services and Public Protection (DESPP) are temporarily unavailable.

Connecticut General Statutes (C.G.S.) Section 10-221d requires that an individual being hired for a position with a board of education submit to state and national criminal history records checks within thirty days from when they begin employment. In addition, C.G.S. Section 10-232b requires that students enrolled in a teacher preparation program undergo such checks within sixty days of the commencement of a student teaching clinical placement. Due to the current public health emergency associated with the COVID-19 pandemic, Governor Lamont, through Executive Order No. 7E, authorized DESPP to suspend temporarily the availability of fingerprinting for these purposes. As such, districts may be unable to comply with the above timing requirements for conducting criminal history records checks.

To address this issue, under the authority of Governor Lamont's Executive Order No. 7M, I am hereby ordering a deferral, for a period of up to 90 days, of the fingerprinting required pursuant to C.G.S. Sections 10-221d and 10-232b while such fingerprinting is unavailable. However, once DESPP resumes collection and processing of fingerprints for criminal history records checks, districts must require that applicants hired during the deferral period be fingerprinted within 30 days of the time that DESPP resumes such activities (60 days for student teacher candidates enrolled in teacher preparation programs). Districts should consider addressing this in any employment offer and with collective bargaining unit representatives in advance of hire to ensure employment status is clear, particularly if districts intend to take action based upon the results of the background check.

During this period in which criminal history records checks based upon fingerprinting have been suspended by the Office of the Governor, districts should perform thorough background checks to the best extent practicable, to ascertain that the person being hired is appropriate to work with children. This may include, but is not limited to, and as appropriate under the applicable employment and non-discrimination laws: (1) engaging in private background checking services, including fingerprinting if available which would still be processed by DESPP (if the private background check is not based upon fingerprinting, the new hire will need to be fingerprinted within 30 days of DESPP resuming fingerprinting services); and (2) via public records such as:

- The public look-up section of the CT Educator Certification System: <http://sdeportal.ct.gov/CECSFOI/FOILookup.aspx>;
- The CT Sexual Offender Registry: http://www.communitynotification.com/cap_main.php?office=54567; and
- CT Criminal Convictions: <https://www.jud2.ct.gov/crdockets/SearchByDefDisp.aspx>.

All new employee hires that occur subsequent to the reinstatement of DESPP collecting and processing of fingerprints for state and national criminal history records checks will be required to be fingerprinted in accordance with C.G.S. Section 10-221d within 30 days from the date of their employment with a district (and within 60 days of starting a clinical placement for student teachers enrolled in a teacher preparation program).