



an
Exploration
of **Background Checks**
in **Schools**

An Important Journey

Background checks can be a laborious, complicated journey. **But you still have to do them.**

Government mandates, policies and lack of critical information have unfortunately resulted in sub-standard screening for schools across America.

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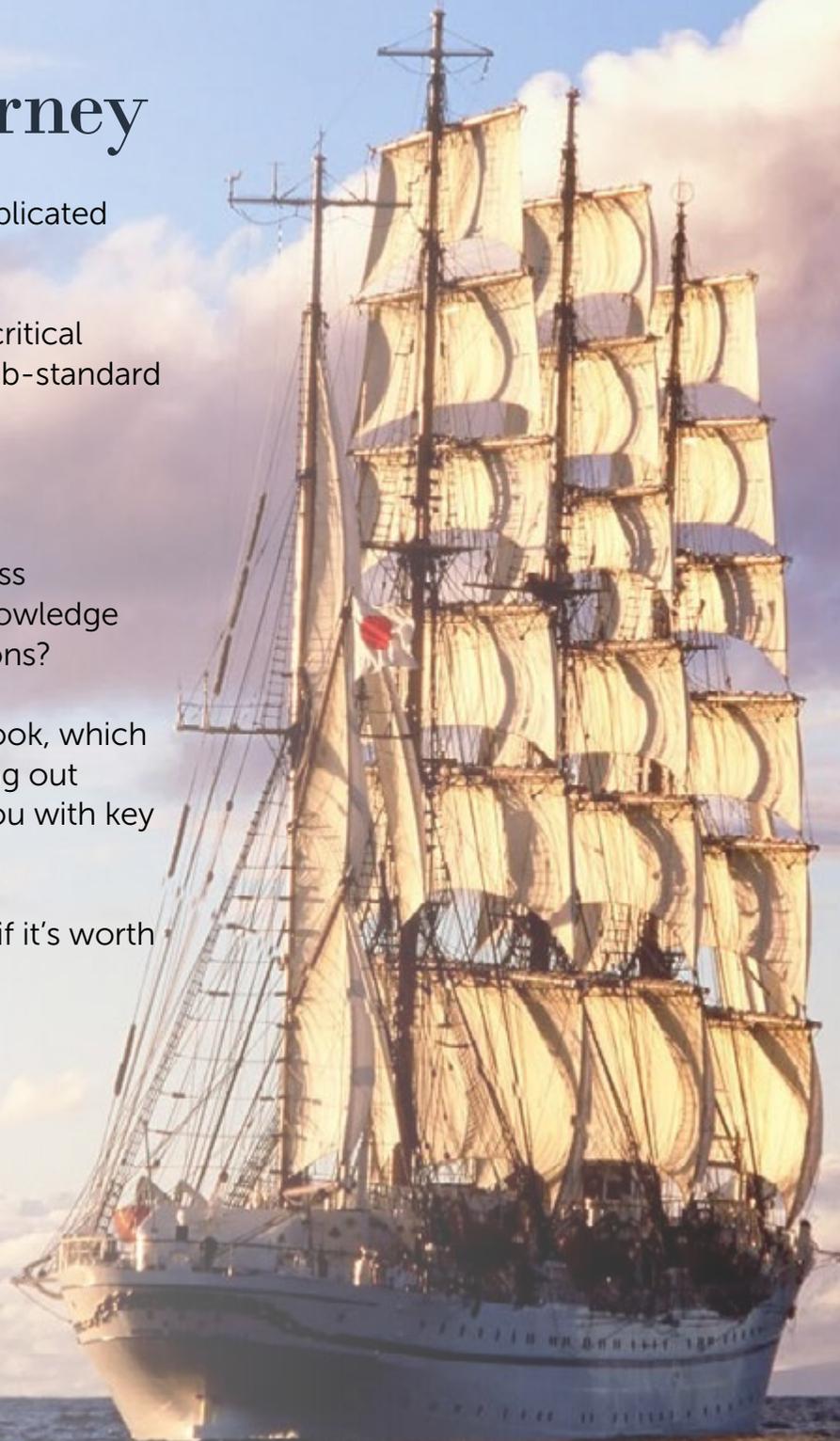
What if the background check voyage was less cumbersome? What if you could gain the knowledge you need to make the most informed decisions?

We'd like to offer you that path with this e-book, which explores screening in a different way, stripping out industry jargon and legalese and providing you with key insights on risk and best practices.

We want to help you screen better. Because if it's worth doing, it's worth doing right!

Continue the journey to learn about:

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Exploring the Basics

To begin our exploration, we have to ask the question, "What is a background check?"

Simply said, **it is the compiling of someone's criminal or civil public records.** Because they are public records, this means the data used in background checks is the same for everyone who uses it.

But if the data is publically available for anyone to access, and it's always the same, then wouldn't all background checks be the same?

Good question. **The differences lie in how the records are gathered.**



Exploring the Basics (cont.)

A Complex Data Environment

There are about 5,400 courts in the United States, and almost all of them operate differently. For example, there is no standardization of how they maintain records, so one court system may keep data like full name, date of birth, height, weight and address, while another just has name and age.

Additionally, many courts don't share records with each other; no one has a single "permanent record" that all courts use. You could have arrests in different states and the two courts may never know.

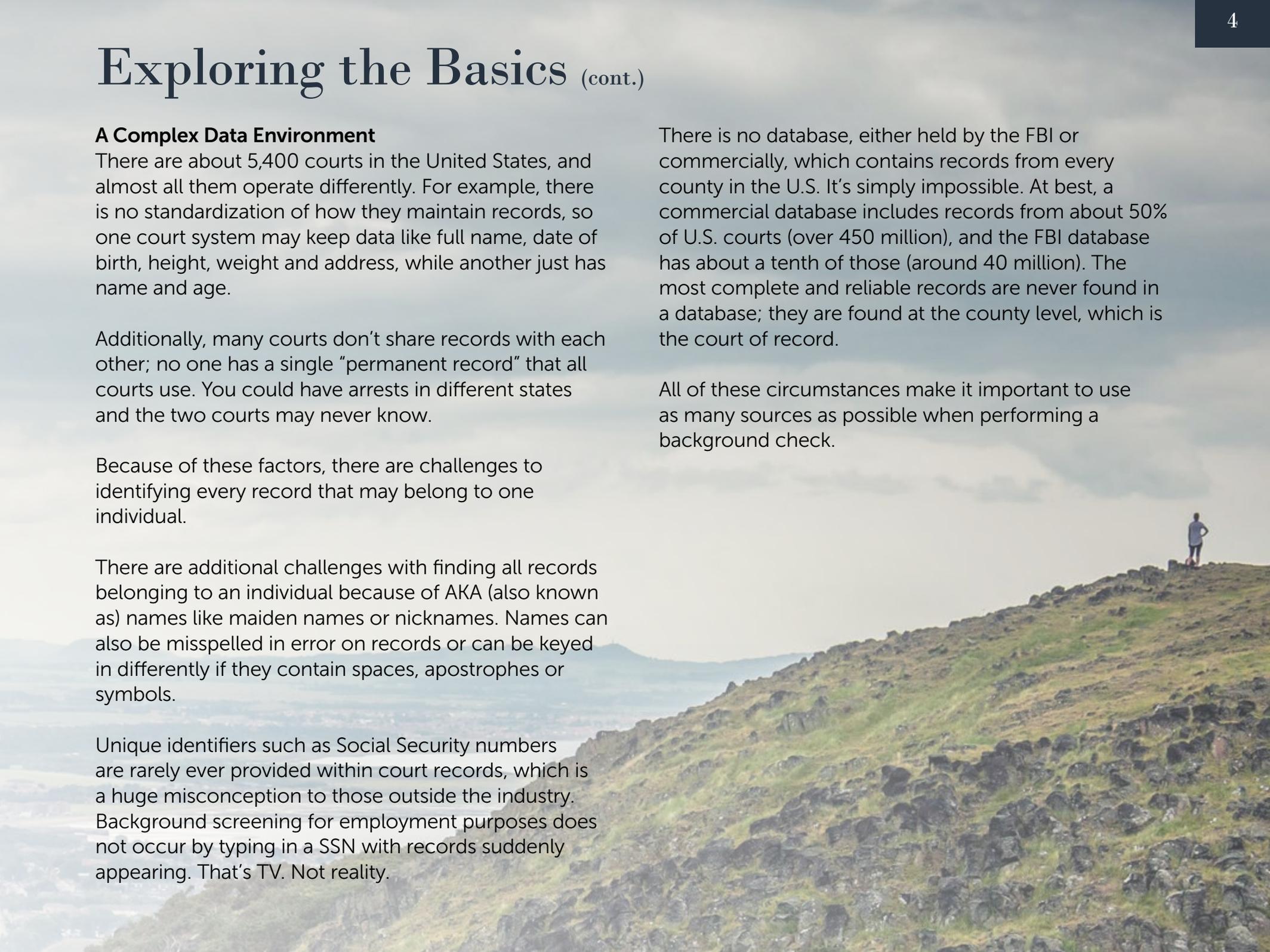
Because of these factors, there are challenges to identifying every record that may belong to one individual.

There are additional challenges with finding all records belonging to an individual because of AKA (also known as) names like maiden names or nicknames. Names can also be misspelled in error on records or can be keyed in differently if they contain spaces, apostrophes or symbols.

Unique identifiers such as Social Security numbers are rarely ever provided within court records, which is a huge misconception to those outside the industry. Background screening for employment purposes does not occur by typing in a SSN with records suddenly appearing. That's TV. Not reality.

There is no database, either held by the FBI or commercially, which contains records from every county in the U.S. It's simply impossible. At best, a commercial database includes records from about 50% of U.S. courts (over 450 million), and the FBI database has about a tenth of those (around 40 million). The most complete and reliable records are never found in a database; they are found at the county level, which is the court of record.

All of these circumstances make it important to use as many sources as possible when performing a background check.



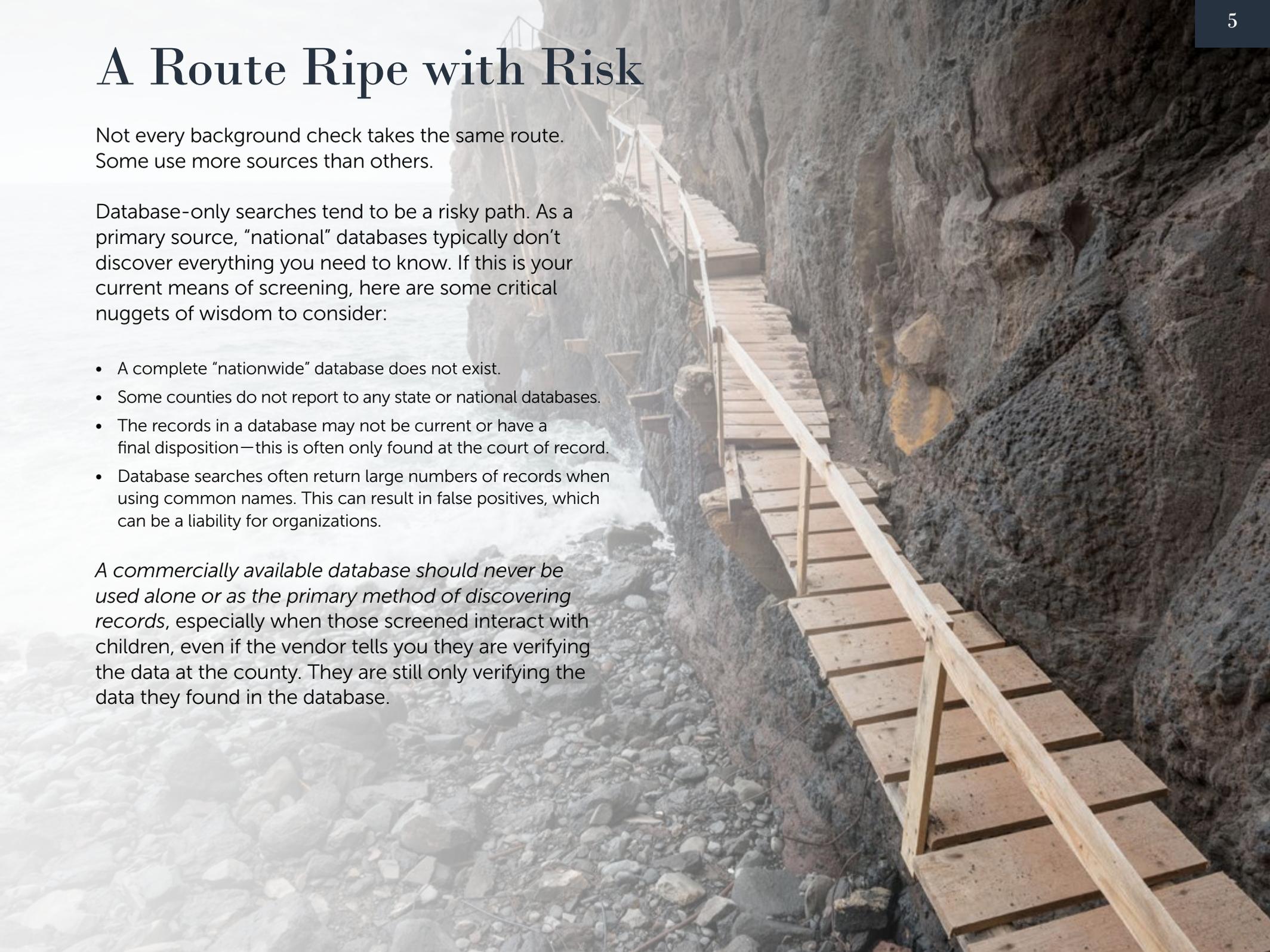
A Route Ripe with Risk

Not every background check takes the same route. Some use more sources than others.

Database-only searches tend to be a risky path. As a primary source, “national” databases typically don’t discover everything you need to know. If this is your current means of screening, here are some critical nuggets of wisdom to consider:

- A complete “nationwide” database does not exist.
- Some counties do not report to any state or national databases.
- The records in a database may not be current or have a final disposition—this is often only found at the court of record.
- Database searches often return large numbers of records when using common names. This can result in false positives, which can be a liability for organizations.

A commercially available database should never be used alone or as the primary method of discovering records, especially when those screened interact with children, even if the vendor tells you they are verifying the data at the county. They are still only verifying the data they found in the database.



A Route Ripe with Risk (cont.)

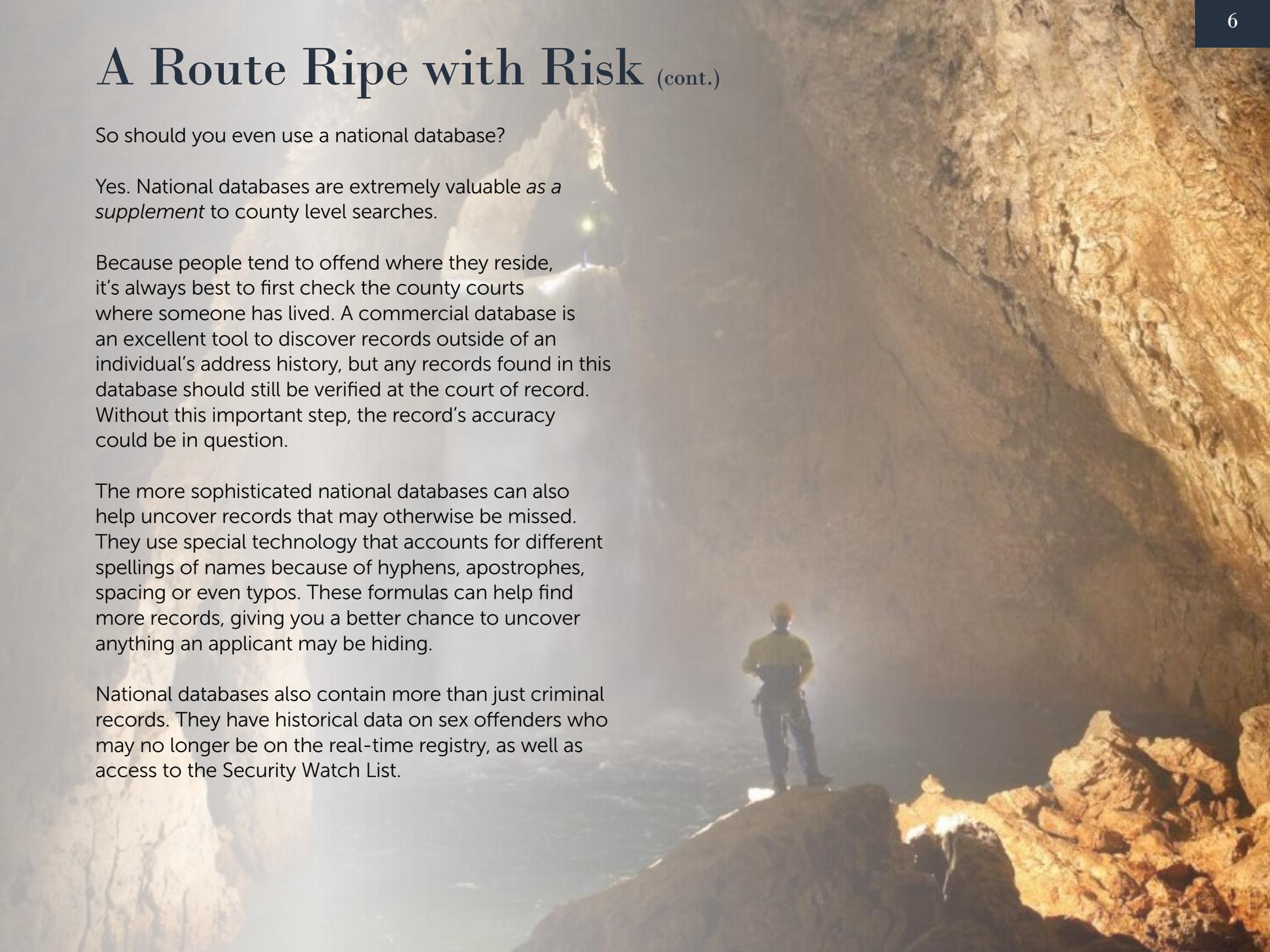
So should you even use a national database?

Yes. National databases are extremely valuable as a *supplement* to county level searches.

Because people tend to offend where they reside, it's always best to first check the county courts where someone has lived. A commercial database is an excellent tool to discover records outside of an individual's address history, but any records found in this database should still be verified at the court of record. Without this important step, the record's accuracy could be in question.

The more sophisticated national databases can also help uncover records that may otherwise be missed. They use special technology that accounts for different spellings of names because of hyphens, apostrophes, spacing or even typos. These formulas can help find more records, giving you a better chance to uncover anything an applicant may be hiding.

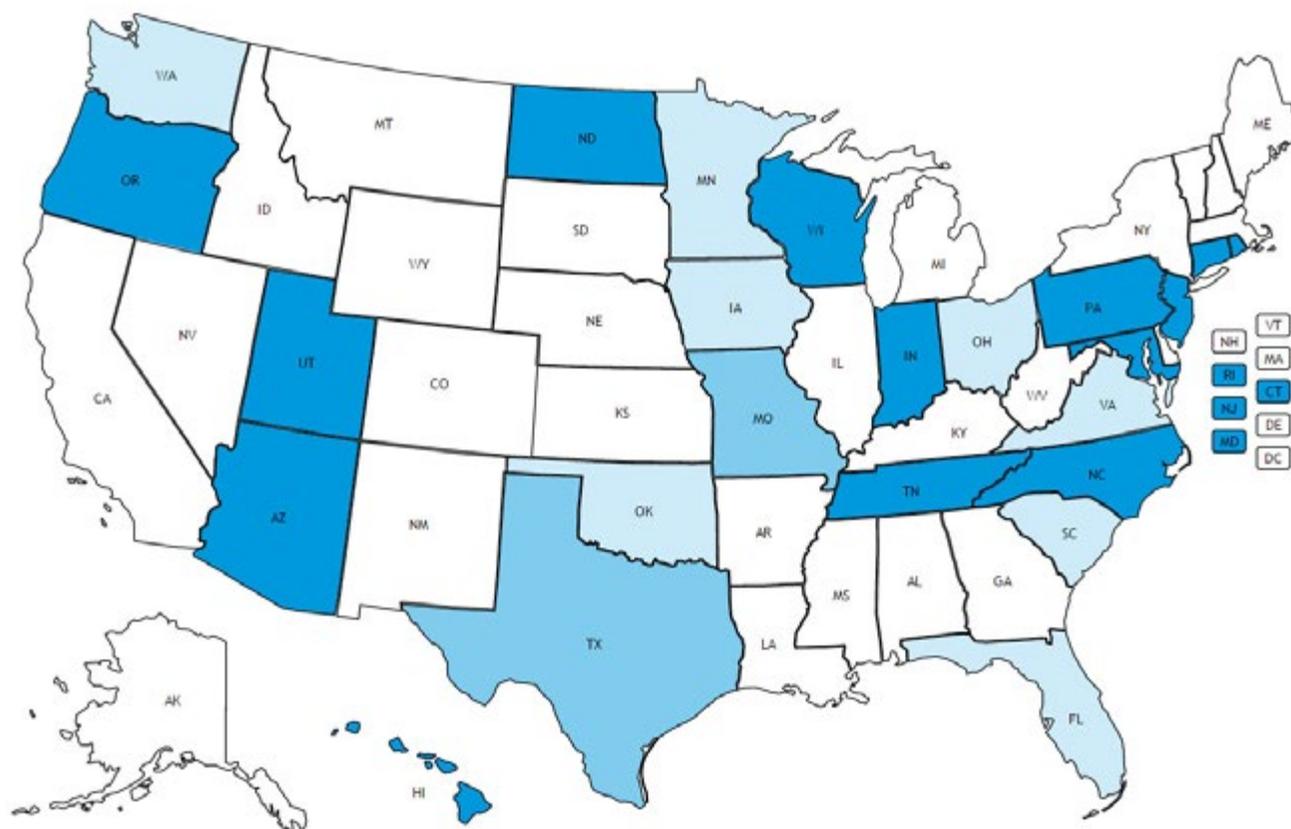
National databases also contain more than just criminal records. They have historical data on sex offenders who may no longer be on the real-time registry, as well as access to the Security Watch List.



How does your state fare?

Some states have a large number of sources available in a commercial database while others have almost none. If you are just using a “national” database and have received very few criminal hits that should be a red flag to you. Based on our historical data, most school districts have at least a 10% hit rate on employees and/or volunteers. You should always inquire with your provider about what data is available for your area.

To better explain the disparity in database coverage, we created this map as a visual aide.



- Good data quality**
Statewide, up-to-date coverage.
- Acceptable data quality**
Nearly 100% coverage, but may not be up-to-date.
- Inadequate data quality**
Limited coverage. May have some county sources.
- Poor data quality**
Very limited coverage. Would likely miss most records from these states.

Available Paths

Now that we've explored what a background check is, it's important to talk about current methods used by school districts. Currently, federal law does not dictate screening practices; however, many states have laws in place. Most require the use of a state repository and/or the FBI database via fingerprinting. Some states do offer an option to screen using a Consumer Reporting Agency (CRA).

Many states have no regulations for screening volunteers.

Based on conversations with administrators and research into school district policies, districts most likely screen in these ways:

Employees

- Fingerprint only
- Fingerprint + supplemental "National" database via a CRA
- Professional Grade Screen via a CRA

Volunteers

- Fingerprint in same manner as employees
- Statewide only (typically name based)
- "National" database via a CRA
- Professional Grade Screen via a CRA
- Sex Offender only
- No screening

Avoiding Fingerprinting Dangers

The FBI database used for employment and volunteer screening has about one tenth the records of a commercial database, and the majority of records lack final dispositions. Yet stakeholders, lawmakers, school boards and administrators still believe it's the highest quality screen simply because the name "FBI." **This flawed assumption is putting kids, staff and schools at risk every day.**

The FBI database must depend on each state to send it information regarding arrests and convictions, and each state must depend on every jurisdiction or county to send it records. Arrests and dispositions must be "matched" successfully as well.

Unfortunately, because of the inconsistency and backlogs, this just doesn't happen. In 2010, there were nearly 3.5 million felony arrests in the U.S. in which fingerprinting was conducted. The backlog for unprocessed or partially processed fingerprint cards for the FBI database was over 215,000. Thus over 16% of felony arrests in 2010 were not part of the FBI database at the end of that year.

FBI Database Shortcomings

- » Fewer records than the "national" database
- » Over 50% of records are missing final disposition
- » Not all states or counties report to the FBI database
- » The FBI itself warns against using it as a sole source
- » Only contains fingerprint related offenses which often excludes lower level misdemeanors

Wisdom Nugget: *Fingerprinting certainly isn't the gold standard. It's also more costly and takes longer than a professional grade screen. Why make your volunteers make special trips to be fingerprinted when they could apply from the comfort of their own home on a secure website? With less cost and a better experience, could volunteerism rise?*



Statewides: Everything You Won't Find

1. It's only that state.

Performing a California statewide search isn't very reliable, especially if someone just moved there from Massachusetts. Even if someone has lived in the same state her entire life doesn't mean they don't have a record somewhere else.

2. Imperfect data.

Repositories typically only index fingerprint related arrests and exclude lower level misdemeanors. It is legal in all 50 states to "cite and arrest" for a misdemeanor, meaning no fingerprint was taken. It's legal in two states to "cite and arrest" for felonies. Plus, *state repositories only receive records that are sent to them*; they don't go out and gather them. Each state must depend on their jurisdictions to send arrest information then later the disposition.

Recent News

Ohio Admits State Repository Unreliable

An investigation in 2015 revealed a series of concerns over the reliability and completeness of the Ohio state repository, including clearing individuals who had a record, jurisdictions not reporting any data for long periods of time and alerts of new arrests not effective. [Read full story >>](#)

Records Missing in Washington State Repository

An audit was released in 2015 regarding the completeness of the repository. The report cited at least one third of dispositions were not available for cases in 2012. [Read full story >>](#)

Statewides: Everything You Won't Find (cont.)

3. The Missing Disposition.

Ask yourself how many times you've received reports from your state that listed the arrest only. Probably more than you can count. Without verifying the record at the court of record, you often won't find the disposition available in the database. It can take months or even years (up to 555 days in Kansas!) for a disposition to be updated in a state repository. Dispositions must also be matched correctly to the arrest (many states use a tagging system).

Dispositions are important. It's unfair to make decisions without the complete story; without the final disposition, you won't know if the verdict was guilty or the case dismissed!

4. Just checking one name?

It is estimated that up to 40% of the U.S. population has at least one AKA. If you are only searching the name provided by the applicant and that applicant committed a crime under a different name, it will not show up. This type of name based check also wouldn't account for name variation.

These states have the lowest percentage of available dispositions:

Mississippi:	13%*	Montana:	47%*
Alabama:	34%*	Indiana:	47%
Oklahoma:	39%*	Idaho:	49%*
Kentucky:	40%*	Ohio:	50%*
Nevada:	45%*	Tennessee:	50%*

**These states mandate the use of the state repository and FBI database for employee screening.*



The Background Check Journey Isn't Over

A background check is simply a snapshot of data at that moment in time. The journey isn't over as long as that person is an employee or volunteer; what happens after the screen may be unknown to you if you do not currently rescreen.

Teachers, coaches and volunteers are being arrested at alarming rates. BIB conducted a study in 2015 that found that in a five month span, 445 arrests were reported by the media that involved school personnel. Charges included everything from rape to drug possession. These are only the arrests that made it into the news, so there is a high chance the unreported number of arrests is even greater.

Although you probably have a policy in place that requires employees and volunteers to report any new arrests, few would actually divulge this information for fear of termination or discipline. So they keep it quiet in hopes it will go undiscovered.

Best practices recommend an annual rescreen, which might be cost prohibitive. However, screening mandates only pertain to initial screening; you can use a professional grade screen for the rescreen. Rescreening your entire employee population may cost less than you think!

5 Things to Consider for Rescreening

1. Create a policy for rescreening all of your employees and volunteers.
2. Determine if you can rescreen annually, bi-annually or longer.
3. Consider a monitoring program, which looks for new arrests.
4. If cost is the number one issue, self pay may be an alternative option.
5. Review your screening methodology for holes and gaps.



A Better Screen for Schools

Now that we have defined the weaknesses in other search methodologies, what's a better way to screen? A professional grade screen comprehensively explores an applicant's past criminal history and includes:

Address History Trace (AHT)

This is a report revealing various names, DOBs and addresses associated with a specific Social Security number. An AHT should go back at least seven years.

***Why it's important:** Because an AHT creates a profile of an individual's residence history; this profile determines what jurisdictions should be searched.*

County Searches

Based on the profile created from the AHT, each jurisdiction/county identified should be searched.

***Why it's important:** County courts are considered the official court of record because most cases are filed and maintained here. This means the most complete and accurate information is generally located here.*

Criminal Record Database

A database search of over 450 million criminal records regularly collected from over 2,600 public and proprietary sources.

***Why it's important:** Because supplementing a county search with databases casts a wider net and helps find more records.*

National Sex Offender Search

A comprehensive, real-time search of registered sex offenders in all 50 states plus D.C., U.S. territories and tribal registries.

***Why It's important:** Because searching every available sex offender registry in real-time provides maximum protection from registered sex offenders gaining access to your students.*

AKAs

These can include maiden names, nicknames or aliases.

***Why It's important:** Because everyone doesn't always use the same name! And not every applicant will provide all AKAs. Having as many possible names to search increases your chances of finding records that may have otherwise been missed.*

You'll Love a Professional Grade Screen

Not only is a professional grade screen much more comprehensive than a statewide, FBI or database only search, it has many more benefits:

- 1. Online platforms for applicant entry:** applicants can apply from the comfort of their home on a secure site and pay for the screen all at one time.
- 2. Professional grade screens start at \$10** and contain much more information than other methodologies, which cost the same or more.
- 3. Manages who has been screened and when** so you don't have to keep extra spreadsheets or lists.
- 4. Credential ID cards are available** as a visual identifier that a volunteer has been screened.
- 5. Zero paper:** no stacks of paperwork or data entry for your staff.
- 6. Compliance help:** professional screens provide legal notifications to anyone denied and allow an applicant to dispute any information directly with the screening firm.
- 7. Professional grade screens find more** than what the applicant may share including aliases, addresses and other pertinent information.
- 8. Delivers dispositions for every arrest** as long as they are available (some arrests may still be pending but are reportable).

Want to learn more about how BIB can offer you a better way to background check? Contact us today to begin a journey for better screening! We're here for you, and we're committed to helping you protect what matters.

Protect What Matters

About BIB

BIB offers background screening with integrity. We screen, test and verify the backgrounds of your employees and volunteers. Clients love our responsive service and how we accelerate their speed to hire while reducing their costs. With BIB, you get reliable results and easy technology. We're good at what matters and have been since 1995. BIB is a founding member of and accredited by NAPBS and a member of SHRM, AASPA, The Church Network, ASA and NRPA.

About Secure Volunteer

Secure Volunteer is a web based, turnkey platform for screening volunteers. Volunteers enter their own data, removing paper forms from the process. Secure Volunteer manages who has been screened and when, facilitates the approval process, provides a professional grade screen and supplies approved volunteers with ID cards. With Secure Volunteer, organizations screen better and quicker without sacrificing quality or breaking their budgets.

