



**HUMAN PERFORMANCE FACTORS GROUP CHAIRMAN'S  
FACTUAL REPORT**

**Human Performance Attachment 8 - BCPS Screening Criteria for Background  
Investigations**

**Baltimore, Maryland**

**HWY17MH007**

(4 pages)

# Screening Criteria for Background Investigations

Baltimore City Public Schools (City Schools) is committed to providing a safe and secure environment for all students and employees. Any employee or service provider who is involved in criminal activity or has a negative child abuse/neglect finding is subject to administrative action, including termination from employment or discontinuance of service.

For the purposes of determining suitability of employment within City Schools, a conviction includes anyone who pleads guilty, Nolo Contendere, or is found guilty of a crime or receives Probation Before Judgment.

- 1. Individuals with the following criminal activity indicators are permanently disqualified from employment within City Schools. (Just cause for immediate termination/discontinuance action shall include, without limitations the subsequent acts or omissions):**

- Child Abuse/Neglect
- Child Pornography
- Civil Rights Violation
- Kidnapping
- Murder
- Hiring, soliciting, engaging, or using a minor for the purpose of manufacturing distributing, or delivering a controlled dangerous substance
- Rape
- Sex Offenses

- 2. Conviction of the acts listed below in the State of Maryland, or any other jurisdiction of the United States within the last 10 years.**

- Manufacturing, distributing, delivering or dispensing a controlled dangerous substance
- Possession with intent to manufacture, distribute, or dispense a controlled dangerous substance
- Abduction
- Abuse or neglect of an adult
- Arson
- Assault-1<sup>st</sup> Degree
- Assault with the intent to commit any crime
- Carjacking
- Indecent exposure
- Maiming or Mayhem
- Manslaughter
- Robbery
- Weapons (firearms) violations

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3. **Conviction of the following Misdemeanors in the State of Maryland, or any other jurisdictions of the United States within the last 5 years.**

- Battery
- Burglary/Theft
- Breaking and entering
- Housebreaking
- Possession of a controlled dangerous substance/paraphernalia
- Unlawful entry

4. **Just cause for administrative action, up to and including termination shall include, without limitations, the following acts or omissions**

- 1) Conviction of any Misdemeanor in the State of Maryland, or any other jurisdiction of the United States that brings into question a person's moral turpitude.
- 2) New applicants receiving Probation Before Judgment (PBJ), deferred sentences, for any of the above crimes are not eligible for continued employment/services with City Schools.
- 3) Pending criminal action that precludes an employee/volunteer or contractual representative from working in a facility.
- 4) Failure to disclose a Conviction, Probation Before Judgment, or pending criminal issue on the employment application or background check application, whenever discovered

## **Current Employee or Service Providers involved in Criminal Activity or Child Abuse/Neglect Investigations**

Any employee, service provider or any person routinely in school system facility is subject to an administrative review by the Office of Employee and Labor Relations and administrative action up to an including termination/dismissal for the following:

1. Arrested for or charged with a Felony.
2. **Arrested or charged with Misdemeanor that brings into question a person's suitability.**
3. Received a Probation Before Judgment or deferred sentences for a charge that brings into question a person's suitability.
4. Investigation, arrest or charge where such action may bring BCPS into disrepute.

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## **Moral Turpitude**

Moral turpitude generally refers to crimes involving an element of fraud or dishonesty that calls the individual's credibility or trustworthiness into question. In the administrative context, however, moral turpitude also includes crimes that would undermine the public's confidence in the administration of government. Therefore, even if an individual's crime did not involve fraud or dishonesty, if it is one that would cause parents and other stakeholders to seriously question the type of individuals being allowed access/contact with Maryland's children, the crime should be considered one of "moral turpitude" under 13A.12.05.02(1)(b).

Where questions arise regarding the application of this screening criterion, the Director of Employee and Labor Relations shall be consulted. Exceptions to the screening criteria may be made for good cause, upon the written recommendation of the Manager of Labor Relations and/or the Chief Human Capital Officer.