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Student Safety Top Priority; Sept 1 Hearing To Explore Distribution Of CBI Updates

**By Bob Schaffer, Chairman, State Board of Education and
Dwight Jones, Colorado Commissioner of Education**

We're grateful to the Fort Collins Coloradoan for its coverage and commentary on the topic of safe schools and the public's right to know when school personnel are arrested or charged with crimes.

No issue compares to the importance of student safety. Children must be provided a safe learning environment—period.

One key in helping school districts ensure all school personnel are of good character is the state issuance of licenses and criminal background checks.

School districts perform additional background checks on those they eventually hire. State law requires districts to double check the Colorado Department of Education's Website to ensure no new problems have surfaced between the license being issued and job being offered.

A law passed in 2008 added steps to address situations when licensed teachers are arrested. The new steps detail how the Department of Education must respond to inquiries about prospective employees and how quickly it must pass along information it receives about serious crimes.

Once the new law was fully funded, the department quickly put in place a system that informs districts when the department receives a report of a serious crime from the Colorado Bureau of Investigation (CBI) or any other source.

The new law specifies the types of cases the legislature is most concerned about—felonies, misdemeanor crimes involving unlawful sexual behavior, misdemeanor crimes involving unlawful behavior and children, and misdemeanor crimes related to domestic violence. The department delivers this information to districts within 10 days.

Also contained in the new law is this sentence: “When the Colorado bureau of investigation provides the department with an update regarding a school employee who was previously subject to a fingerprint-based criminal history record check, the department shall provide that update to each school district and charter school in the state.”

Through an oversight, the department’s Office of Educator Licensing was applying the standard of the first sections of the law—felonies, misdemeanors involving unlawful sexual behavior, etc.,—to that sentence too. Details from serious cases were being relayed to the employing school district and an “alert” was added to the individual employees’ electronic file as a caution for prospective employers, but the details were not forwarded to all districts across the state. Again, this was an oversight and we commend the Coloradoan for bringing it to the state’s attention.

From now on, all information, no matter how minor, will be forwarded to school districts and charter schools.

We are compelled to point out one false impression created in the Coloradoan’s coverage—and picked up by other news media outlets. The newspaper suggested CDE had not contacted Poudre School District about two serious crimes involving local teachers.

In fact, in both cases, the school district was first to notify the state of the heinous activities and the department and the district were in communication about both cases over the course of many months.

This entire issue needs more thought and definition. To that end, the State Board of Education and the department staff have stepped up internal compliance efforts and we have scheduled an extended public

hearing on this topic for Wednesday, Sept 1. From 9 a.m. to 3 p.m. More details will be announced.

We want to hear from parents, community members, principals, superintendents, human resource directors, teachers and law enforcement experts. We also want to hear from legal experts who can help determine how best to guarantee the public's right to know while adhering to the state's legal requirements regarding the privacy of personnel records.

We are committed to working closely with school districts to ensure Colorado's hiring systems are the best they can be and that we are doing everything we can to surround students with the most competent, law-abiding teachers and school staff.

For more information, contact Mark Stevens, 303-866-3898, or Megan McDermott, 303-866-2334, in the CDE Office of Communications. To sign up for the CDE e-mail news service, please visit <http://www.cde.state.co.us/Communications/index.html>.

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