

# #ABC Conduct

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## Application for Licensure

Educators have a visible place in their communities. The choices they make, even when well-intended, can affect their jobs, families, schools and profession. The Ohio Department of Education, Ohio Education Association and Ohio Federation of Teachers, supported by BASA, OASSA and OAESA, offer this series of tip sheets on how to recognize situations that can get good educators in trouble. #ABCConduct Tip Sheets are designed to help educators identify and mitigate risks that occur in everyday situations. These tip sheets provide guidance for best practices and are not intended to be used in disciplinary actions.

Ohio educators and the Ohio Department of Education both play key roles in keeping students safe. The Office of Professional Conduct helps to keep students safe by actively monitoring educators' criminal activities. The Department plays its part by receiving and reviewing updates on new criminal activity of Ohio educators. Educators do their parts by always disclosing their full criminal histories when they apply for or renew licenses.

## Fast facts about background checks and applications

**Fact 1:** Every licensed Ohio educator is required by state law to be enrolled in a system called Rapback. Educators are enrolled in Rapback when their mandatory Bureau of Criminal Investigation (BCI) background check is completed and sent to the Department.

**Fact 2:** Rapback is an Ohio database that gives the Department daily updates on any new criminal charges, arrests or convictions of licensed educators.

**Fact 3:** Educators must disclose on their licensure application any past professional discipline of any professional certificates, licenses, registrations or permits. This could include discipline on a nursing, law, education or other type of license from Ohio or any other state.

**Fact 4:** Educators must disclose all their criminal convictions on every licensure application and renewal submitted to the Department, even if the educator has reported the information on a previous application. This disclosure includes, but is not limited to:

- o Sealed or expunged convictions;
- o Cases that do not appear on background checks;
- o Charges that resulted in a diversion or an intervention-in-lieu-of-conviction program;
- o Guilty pleas; and
- o Pending or ongoing criminal cases.

### Read your application carefully!

*Failing to disclose a criminal history can result in professional discipline.*

**LAW & ORDER**  
Education Edition

Identified

- All 321,000 licensed Ohio educators automatically are enrolled in Rapback.
- The Rapback system reported 947 referrals of educator's criminal activity in 2017.
- Ohio investigated 296 educators in 2017 for issues related to their applications.
- Rapback notifications and applications that indicate a background issue are consistently the top two sources of professional misconduct referrals to the Department.



# DO's & DON'Ts

—with—  
*Crystal Clear*



- DO** carefully review your application before submitting it.
- DO** make full disclosure to the Department on every licensure application and renewal.
- DO** call the Office of Professional Conduct at (614) 466-5638 if you have questions when filling out your application.
- DO** disclose all sealed or expunged convictions.

- DON'T** allow anyone else to fill out or submit your licensure or renewal application.
- DON'T** wait until the last minute to complete your license application.
- DON'T** forget to disclose prior disciplinary actions against any of your professional licenses.
- DON'T** assume that because your district is unaware of criminal activity, the Department is unaware.

## Disclosure Dilemmas

**Neil completed his pupil activity permit application and did not disclose his sealed conviction for spacecraft trespass because his attorney, Buzz, told him he would never have to disclose a sealed conviction.**

**Astro-not:** Ohio law specifically requires that Neil disclose his sealed convictions when applying for or renewing a license with the Department.

**Wilbur destroyed his neighbor's barn when his new plane crashed. He is charged with criminal damaging. When renewing his substitute teaching license, Wilbur discloses his pending charge.**

**He's Wright:** Educators must disclose any pending criminal matter when applying for or renewing a license with the Department.

**Edison entered a criminal diversion program after being charged with theft. After completing the program, the charges were dismissed, and he applied for a license. He disclosed on the application that he had completed the program.**

**Bright idea:** Edison properly disclosed his criminal diversion program

**Newman asked his LPDC chair to help fill out his teaching license application. While doing so, she asked if Newman has any criminal convictions. He said, "no," despite knowing he had a 1967 criminal mischief conviction.**

**Failure to Communicate:** The responsibility to submit an accurate application is Newman's own, and failure to disclose any convictions can result in discipline.

**Oakley applied for a principal license but didn't disclose her minor misdemeanor disorderly conduct and misdemeanor drug possession from 30 years ago.**

**Bad aim:** Oakley must disclose all criminal convictions, even minor misdemeanors and convictions from long ago.