

FALL 2012

**CRIMINAL HISTORY RECORDS INFORMATION (CHRI) CHECKS
FOR CERTIFIED AND NON-CERTIFIED SCHOOL PERSONNEL**

(NON-REGULATORY GUIDANCE 001)

APPLICABLE SCHOOL CODE SECTIONS:

105 ILCS 5/10-21.9

105 ILCS 5/34-18.5 (CPS)

105 ILCS 5/2-3.25o

APPLICABLE PUBLIC ACTS

P.A. 93-909

P.A. 94-945

P.A. 96-1452

P.A. 94-219

P.A. 94-994

P.A. 96-1489

P.A. 94-556

P.A. 95-351

P.A. 97-248

P.A. 94-875

P.A. 96-431

P.A. 97-607

This document is intended to provide non-regulatory guidance on the subject matter listed above. For specific questions, please contact the person(s) identified in the document.

GUIDANCE FOR CRIMINAL HISTORY RECORDS INFORMATION (CHRI) CHECKS FOR SCHOOL PERSONNEL

I. INTRODUCTION

Effective August 12, 2004, Public Act 93-909 amended Sections 10-21.9* and 34-18.5 of the Illinois School Code [105 ILCS 5/10-21.9 and 105 ILCS 5/34-18.5] to require school districts to perform a **fingerprint-based** criminal history records information check or “CHRI” check (also referred to as a “background check”) on certain school personnel, instead of the name-based check that had been required. Employees hired prior to August 12, 2004 are not required under the School Code to submit to a fingerprint-based CHRI check.

LINK TO P.A. 93-909: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?name=093-0909&GA=093>

II. COMPONENTS OF A CHRI CHECK

A complete Section 10-21.9 criminal history records check consists of:

- fingerprint-based CHRI checks through the Illinois State Police (ISP) and the FBI,
- a check of the Illinois Sex Offender Registry (see below), and
- a check of the Murderer and Violent Offender Against Youth Registry (see below).

The CHRI check must be *initiated* prior to employment, but a school district may permit the individual to be hired and begin employment pending the outcome of the CHRI check. ISBE believes that “initiated” means the applicant’s fingerprint image has been transmitted via LiveScan to the Illinois State Police (ISP) and FBI. The applicant for employment must authorize the CHRI check, and is entitled to receive a copy of the ISP and FBI reports, but cannot be charged any portion of the fee. The only exception is that pursuant to PA96-1489, substitutes shall be charged a fee not to exceed the actual cost of the CHRI check.

CHRI checks should be conducted using LiveScan equipment, which may be owned or leased by the district or at an authorized vendor. Vendors will add a service fee. A list of LiveScan Vendors whose equipment meets current ISP requirements can be found at the end of this document (see page 13). The regional office of education (ROE) is authorized to facilitate conducting CHRI checks for certain individuals *if these applicants for employment are seeking employment in more than one district simultaneously*: substitute teachers, concurrent part-time

* All references to 105 ILCS 5/10-21.9 in this document also refer to 105 ILCS 5/34-18.5.

employees, and educational support personnel; or for employees of a firm holding contracts with more than one district simultaneously.

ILLINOIS SEX OFFENDER REGISTRY

Effective August 14, 2005, Public Act 94-219 amended Section 10-21.9 of the Illinois School Code (105 ILCS 5/10-21.9) to require school districts and, where applicable, regional superintendents, to perform a search of the Illinois Sex Offender Registry (IL-SOR) pursuant to the Sex Offender and Child Murderer Community Notification Law, in conjunction with every CHRI check initiated. When checking this Registry, please note that some of the offenses that will require registration under this Registry will automatically prohibit an applicant from holding certification and employment in the public schools, but other offenses included in the Registry do not, and will require the school district to determine whether an applicant should be hired. A list of offenses that automatically prohibit employment and certification can be found at 105 ILCS 5/21B-80 of the School Code.

The IL-SOR and numerous other helpful resources can be accessed via the Illinois State Police (ISP) website link below. Searches may be conducted using the applicant's last name and his/her city of residence. In 2007, the ISP unveiled a mapping function on the IL-SOR, which displays registered sex offenders in a neighborhood in relation to schools and parks.

LINK TO P.A. 94-219: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?name=094-0219&GA=094>.

Please note that Public Act 94-994 amended 730 ILCS 152/120, the section of the Sex Offenders Registration Law that covers community notification of sex offenders to require, after January 1, 2007, that during either school registration or parent-teacher conferences, a principal or a teacher must notify the parents of children attending the school that parents may access information regarding registered sex offenders that is available to the public. This amendment is intended to increase awareness of the IL-SOR and to encourage parents to review the information available to them.

LINK TO P.A. 94-994: <http://ilga.gov/legislation/publicacts/fulltext.asp?Name=094-0994&GA=094>

ACCESS THE IL SEX OFFENDER REGISTRY: <http://www.isp.state.il.us/sor/>

ILLINOIS MURDERER AND VIOLENT OFFENDER AGAINST YOUTH REGISTRY

Public Act 94-945 created the Murderer and Violent Offender Against Youth Notification Law and Registry (link below), which is intended to be a companion to the IL-SOR, and houses information on adults and minors who were convicted for committing certain violent but not sexually-based offenses against a child or children and are required to register with local law enforcement in the municipality in which the offender resides, works or attends school. Violent offenses that require registration include: kidnapping, aggravated kidnapping, unlawful restraint, aggravated unlawful restraint, any attempt of any of those offenses, first degree murder, child abduction and forcible detention. With the creation of this Registry, the IL-SOR

will no longer include individuals who have been convicted solely of non-sexually based offenses against children and who have successfully petitioned in their jurisdiction to be removed from the IL-SOR to the Violent Offender Registry.

P.A. 94-945 mandates school districts and, where applicable, regional superintendents, to check the Murderer and Violent Offender Against Youth Registry in conjunction with a CHRI check for any applicant for employment. When checking this Registry, note that some of the offenses that will require registration under this Registry will automatically prohibit an applicant from holding certification and being employed in the public schools, but other offenses included in the Registry do not, and will require the school district to determine whether an applicant should be hired.

This Registry also includes a mapping function, which will display registered violent offenders in a neighborhood in relation to schools and parks. ISBE encourages principals and teachers to notify parents of this Registry as well.

LINK TO P.A. 94-945: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=094-0945>

ACCESS MURDERER AND VIOLENT OFFENDER AGAINST YOUTH REGISTRY: <http://www.isp.state.il.us/cmvo/>

METHAMPHETAMINE CONTROL AND COMMUNITY PROTECTION ACT

Public Act 94-556 amended Section 10-21.9 of the Illinois School Code to prohibit employment in the public schools for anyone who has been convicted for an offense under the Methamphetamine Control and Community Protection Act (720 ILCS 646/1) unless that individual successfully completed Section 70 probation.

LINK TO P.A. 94-556: <http://www.ilga.gov/legislation/publicacts/94/PDF/094-0556.pdf>

LINK TO METHAMPHETAMINE CONTROL AND COMMUNITY PROTECTION ACT:

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2733&ChapAct=720%26nbsp%3BILCS%26nbsp%3B646%2F&ChapterID=53&ChapterName=CRIMINAL+OFFENSES&ActName=Methamphetamine+Control+and+Community+Protection+Act%2E>

III. WHO MUST HAVE A CHRI CHECK?

A. General

Fingerprint-based CHRI checks apply to all the same individuals as the former Illinois name-based criminal background check. The following individuals must submit to a fingerprint-based CHRI check:

1. Certified and noncertified (maintenance workers, kitchen staff, etc) applicants for employment with a public school, including charter schools;

2. Substitutes, concurrent part-time teachers and concurrent part-time educational support personnel;
3. Employees of firms contracting with a school district or nonpublic school, where the employee may come into direct, daily contact with students;
4. Bus drivers, if employed by the district (bus drivers employed by a private student transportation firm will submit to a background check with their employer);
5. Certified and noncertified applicants for employment with an ISBE-recognized nonpublic school (see Section III. B below for more information)
6. Student teachers assigned to public or non-public ISBE-recognized schools (see Section III. C below for more information)

Volunteers and parent chaperones are not subject to this fingerprint CHRI check requirement, but a school district may require a volunteer or parent chaperone to submit to a background check, where appropriate, under the Uniform Conviction Information Act (UCIA) or the Adam Walsh Act, per district policy. (For more information on the UCIA and the Adam Walsh Act, see Section VII below). In such cases, ISBE recommends the district conduct a fingerprint-based CHRI check over a name-based CHRI check.

LINK TO 105 ILCS 5/10-21.9:

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HArt%2E+10&ActID=1005&ChapAct=105%26nbsp%3BILCS%26nbsp%3B5%2F&ChapterID=17&ChapterName=SCHOOLS&SectionID=48899&SeqStart=52800000&SeqEnd=74000000&ActName=School+Code%2E>

Link to 105 ILCS 5/34-18.5:

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HArt%2E+34&ActID=1005&ChapAct=105%26nbsp%3BILCS%26nbsp%3B5%2F&ChapterID=17&ChapterName=SCHOOLS&SectionID=49508&SeqStart=169100000&SeqEnd=190800000&ActName=School+Code%2E>

B. BACKGROUND CHECKS FOR NON-PUBLIC SCHOOLS REQUIRED FOR RECOGNITION STATUS

P.A. 95-351 amended Section 2-3.25o of the Illinois School Code (105 ILCS 5/2-3.25o) to require nonpublic schools as defined in this Section to conduct criminal history records checks on all certified and non-certified applicants for employment after July 1, 2007, or the nonpublic school will be prohibited from obtaining or continuing “Non-public School Recognition” status with ISBE. Additionally, any employee(s) of persons or firms holding contracts with any non-public school who have “direct, daily contact” with any students must submit to fingerprint-based criminal history records checks. The background check required for employees of nonpublic schools and any employee(s) of persons or firms holding contracts with any non-public school consists of a fingerprint-based check through the Illinois State Police and the FBI, and a check of the Illinois Sex Offender Registry.

Link to 23 Ill. Admin Code 425 Voluntary Registration and Recognition of Nonpublic Schools:

<http://www.isbe.net/rules/archive/pdfs/425ARK.pdf>

LINK TO P.A. 95-351: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=095-0351>

Link to 105 ILCS 5/2-3.25o:

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HArt%2E+2&ActID=1005&ChapterID=17&SeqStart=14200000&SeqEnd=34100000>

C. STUDENT TEACHERS

In 2010, P.A. 96-1452 was signed, and established a requirement that student teachers submit to CHRI checks prior to student teaching. This public act amended Section 10-21.9 of the School Code to create new subsection (g), which provides:

In order to student teach in the public schools, a person is required to authorize a fingerprint-based criminal history records check and checks of the Statewide Sex Offender Database and Statewide Child Murderer and Violent Offender Against Youth Database prior to participating in any field experiences in the public schools. Authorization for and payment of the costs of the checks must be furnished by the student teacher. Results of the checks must be furnished to the higher education institution where the student teacher is enrolled and the superintendent of the school district where the student is assigned.

LINK TO P.A. 96-1452: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=096-1452&GA=96>

Questions of interpretation and implementation immediately arose, including what kind of CHRI check is required, under what authority the check could be done, and whether the university or the school of assignment was supposed to do the CHRI check and review the CHRI report. Unfortunately, those questions remain unanswered.

Several assumptions were made about student teacher CHRI checks after P.A. 96-1452 was passed, including that the university would conduct the check, and that the CHRI check would include both Illinois and national components, meaning that the CHRI check would be done through the Illinois State Police and the FBI. Thus, the thinking was that universities would do a UCIA check for the Illinois component (which is legally permissible), and an Adam Walsh Act check for the national component. (Again, for more information on UCIA checks and Adam Walsh Act checks, see Section VII below). The problem with that thinking is that neither public nor private universities were included in the Adam Walsh Act, or for that matter, the National Child Protection/ Volunteers for Children Act, as entities authorized to seek and obtain criminal history records from the FBI on student teachers.

ISBE is aware that some universities may be requiring its student teachers to request his or her own CHRI report from the FBI and compel the student to turn over a copy to the university. Such a practice may be deemed to infringe on a student's civil rights.

While a public or private university could do the Illinois component—a CHRI check through the ISP under the UCIA law, this has a few shortcomings: (1) it leaves out the national component, and some students may have out-of-state criminal conviction and (2) for out-of-state students, doing an Illinois-only check of their criminal history is unlikely to result in useful information. Of course, if the student’s criminal history includes juvenile offenses, those sealed records would not show up on a CHRI report anyway. One option is to require out-of-state students to submit to a CHRI check in their home state under their home state’s version of the UCIA, but the challenge would be to ensure the report received is authentic.

The other major obstacle is that regardless of who does the check and which check they do, neither the university nor the assigned school are authorized to share the results with anyone other than the student teacher. ISBE asked the FBI whether sharing could be permitted under their policy of “like purposes” and the response was negative.

****UPDATED INFORMATION****

Until an amendment to Section 10-21.9(g) can be pursued, ISBE has developed a position statement or interpretation of this Section, to guide school districts, higher education institutions and students in understanding what ISBE believes each entity’s obligation to be.

Pursuant to this subsection (g), prior to each time a student begins student teaching, the school district where the student teacher will be assigned shall conduct a fingerprint-based Illinois and national criminal history records information check of the student’s criminal history. The state check shall be conducted pursuant to the Uniform Conviction Information Act (UCIA) [20 ILCS 2635/1] and the national check shall be conducted pursuant to the Adam Walsh Act [P.L. 109-248]. The student teacher shall authorize the school district to conduct the check and pay for the cost of these checks (including any applicable vendor fees), and shall be furnished with a copy of the report. The report shall be returned to the superintendent of the school district or his or her designee. All information contained within the report is confidential and may be shared only with the State Superintendent of Education, the State Educator Preparation and Licensing Board, and any other person necessary to the decision to allow the student to student teach in the district, or for clarification purposes the Department of State Police or Statewide Sex Offender Registry, or both. Unauthorized release of confidential information may result in a criminal penalty. The school district shall also conduct a check of the IL-SOR and the IL CM-VOAY. The state/ UCIA check, national/ AWA check, IL SOR check and the IL CM-VOAY check are the required components of a student teacher background check. No school district shall allow a student to begin student teaching for whom a background check has not been completed and returned to the district. The school district may use its own LiveScan equipment or arrange for student teachers to have their fingerprints taken at a licensed vendor. It is ISBE’s position that regional offices of education are not authorized by Section 10-21.9(g) to conduct student teacher background checks, except those that have been licensed as a vendor (and in those cases, must conduct the check as a vendor). A new background check must be completed for each new student teaching experience. A vendor directory can be found at the end of this Guidance Document.

No school district shall permit a person to student teach who has been convicted of any offense listed in Section 21B-80 of the School Code. Further, no school board shall knowingly allow a person to student teach who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. Each school district is encouraged to have a policy stating the process for reviewing any other criminal history that may impact the student's eligibility to student teach in that district. A school district has a right to reject any candidate for student teaching and decline to share any criminal history records information with the student's institution of higher education; however, if a school district chooses to communicate with the student's institution of higher education about that student's criminal history, it is limited to disclosing ONLY that the student has or has not been convicted for any offense listed in Section 21B-80 of the School Code. The school district shall not disclose any further information about any such conviction or any other criminal history to the institution of higher education.

The district may, at its option, conduct a fingerprint-based state and national criminal history records information check of the student's criminal history, a check of the IL-SOR and the IL CM-VOAY prior to a student beginning any field or clinical experience (other than student teaching). A school district that chooses to require this additional check is encouraged to have a policy on point, including whether the cost of the check (including any applicable vendor fees) will be charged to the student.

The institution of higher education may conduct a fingerprint-based Illinois criminal history records information check of the student's criminal history pursuant to the UCIA. The institution is encouraged to have a policy on point, including that the student shall authorize the institution to conduct such check and pay for the cost of the check (including any applicable vendor fees) and be furnished a copy of the report. The institution may also conduct a check of the IL-SOR and the IL CM-VOAY. Institutions may use the FBI Departmental Order, whereby a student may obtain their own criminal history records from the FBI; however, because institutions of higher education are not authorized to access a student's criminal history records information from the FBI on their own, ISBE encourages any institution of higher education to consider the ramifications of compelling a student to disclose his or her criminal history to the institution and suggests the institution consult first with counsel. Further, ISBE cautions that with such a practice the institution of higher education cannot be assured that the information on the report supplied by the student is accurate.

D. CONTRACTORS

Employees of persons or firms holding contracts with a school district or non-public school that may come into "direct, daily contact" with students must submit to a CHRI check prior to beginning work on campus. This is a determination made by the contracting district or non-public school, usually in consultation with the contracting firm. The contracting firm must make its employees available to submit to CHRI checks; however, the school district or non-public school must review the reports to determine whether any employee of the contracting firm has a conviction listed under Section 21B-80 of the School Code that would prohibit him or her from being on campus. The school district or non-public school must also provide a copy of the CHRI

check report to the individual employee, but is not authorized to release it to the contracting firm.

If the contracting firm holds simultaneous contracts with more than one school district within the educational service region, the ROE can be asked to facilitate conducting the CHRI checks. The ROE returns the CHRI check reports to the district for review.

Pursuant to P.A. 97-248, if a school, school district, community college district or private school requests from a school district a copy of a CHRI report that the school district conducted on an employee of a contracting firm within the last year, that school district is required to share that CHRI report with the requesting school, school district, community college district or private school. The intent of this provision is that while the new school, school district, community college district or private school may not have a simultaneous contract with a firm, it may choose to rely on a CHRI check less than one year old. As with any sharing provision, ISBE cautions that a district policy should be in place that covers issues like staleness, confirming authenticity, considers the pros and cons of sharing, risk of liability for improper interpretation of a CHRI report and action based on that interpretation, and how to obtain current or follow-up information if needed.

IV. REVIEW OF CHRI REPORTS

Individuals who have been convicted for any offense listed in Section 21B-80 of the School Code (105 ILCS 5/21B-80) are prohibited from being employed in public schools, including charter schools, and recognized nonpublic schools.

Employers may consider any misdemeanor conviction, or any felony conviction that occurred within the last 7 years. ISBE recommends that each district have a policy in place regarding hiring eligibility for individuals who have convictions on their record that are not offenses listed in Section 21B-80 of the School Code (105 ILCS 5/21B-80), to avoid disparate or discriminatory impact in hiring. Such a policy may include the factors the employer will weigh to determine if the conviction history impacts the applicant's eligibility to be hired.

LINK TO **SECTION 21B-80**:

[HTTP://WWW.ILGA.GOV/LEGISLATION/ILCS/ILCS4.ASP?DOCNAME=010500050HART%2E+21B&ACTID=1005&CHAPTERID=17&SEQSTART=143000000&SEQEND=145200000](http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HART%2E+21B&ActID=1005&CHAPTERID=17&SEQSTART=143000000&SEQEND=145200000)

USE THIS LINK TO THE **CRIMINAL CODE OF 1961** TO REFERENCE THE OFFENSES ENUMERATED IN SECTION 21B-80:

[HTTP://WWW.ILGA.GOV/LEGISLATION/ILCS/ILCS3.ASP?ACTID=1876&CHAPACT=720%26nbsp%3BILCS%26nbsp%3B5%2F&CHAPTERID=53&CHAPTERNAME=CRIMINAL+OFFENSES&ACTNAME=CRIMINAL+CODE+OF+1961%2E](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1876&ChapAct=720%26nbsp%3BILCS%26nbsp%3B5%2F&CHAPTERID=53&CHAPTERNAME=CRIMINAL+OFFENSES&ACTNAME=CRIMINAL+CODE+OF+1961%2E)

V. PORTABILITY AND CONFIDENTIALITY

Effective July 2006, Public Act 94-875 permits a school board to rely on and share the CHRI “certificate” issued by any regional superintendent, for “substitutes, concurrent part-time teachers and concurrent educational support personnel”, with *any school district in the State of Illinois*. (See 105 ILCS 5/10-21.9(b)). Thus, it may not be necessary to conduct another CHRI check. A school board may request a copy of that “certificate” from a regional superintendent or another school board, that has completed a fingerprint-based CHRI check on a substitute or other employee concurrently employed in more than one district; or, if it prefers, may initiate its own check.

LINK TO P.A. 94-875: <http://ilga.gov/legislation/publicacts/94/PDF/094-0875.pdf>.

Effective August 2011, Public Act 97-248 requires that contractor’s CHRI checks, upon request, must be shared between schools, districts, community colleges and nonpublic schools, if the report is less than one year old.

LINK TO P.A. 97-248: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=097-0248>

Where sharing is permitted, ISBE recommends that each district have a policy in place regarding staleness, confirming authenticity of the report, the pros and cons of sharing, risk of liability for improper interpretation of a CHRI report and action based on that interpretation, and how to obtain current or follow up information if needed.

VI. FEES

School districts may use funds from any ADA School Safety and Educational Improvement Block Grant to pay for fingerprint-based CHRI checks. Regional superintendents may use their operations funds, which include an ROE Services appropriation. Certified and non-certified applicants for employment with a school district shall not be charged any part of the fee; although substitutes and student teachers must pay for their CHRI checks.

In March 2012, the FBI Criminal Justice Information Services (CJIS) Division reduced the cost for non-federal users submitting electronic fingerprint-based CHRI requests by almost 15%. The fee for Illinois checks remains the same.

Fee information can be found at the end of this document (see page 12) or in the **ISP GUIDE TO UNDERSTANDING CRIMINAL BACKGROUND CHECK INFORMATION (APPENDIX E)**: <http://www.isp.state.il.us/media/docdetails.cfm?DocID=508>.

VII. OTHER TYPES OF BACKGROUND CHECKS

UNIFORM CONVICTION INFORMATION ACT (UCIA) BACKGROUND CHECKS

School districts have the discretion to require name- or fingerprint-based background checks on personnel who are not required to submit to CHRI checks under the School Code, such as chaperones or volunteers, or employees hired by the district prior to August 12, 2004, pursuant to the Uniform Conviction Information Act (UCIA) [20 ILCS 2635]. The UCIA report will show only Illinois conviction data. ISBE encourages districts conducting UCIA checks to conduct fingerprint-based UCIA check over the name-based UCIA check.

LINK TO THE UCIA:

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=351&ChapAct=20%26nbsp%3BILCS%26nbsp%3B2635%2F&ChapterID=5&ChapterName=EXECUTIVE+BRANCH&ActName=Illinois+Uniform+Conviction+Information+Act%2E>

Contact the ISP at (815) 740-5160 or request forms to initiate the UCIA check via the ISP website at <http://www.isp.state.il.us/services/uciaformreq.cfm> and to confirm the fee for this check.

ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006

In July 2006, the U.S. Congress enacted the Adam Walsh Child Protection and Safety Act (P.L. 109-248), allowing various entities to access the FBI repository of criminal history information: governmental social service agencies with child protection responsibilities, child welfare agencies and public and private elementary and secondary schools and state and local educational agencies. Public and private colleges and universities were not granted access to the FBI repository to conduct criminal history records checks on, for example, students entering teacher preparation programs and/or clinical/field experiences. Public schools in Illinois already had access to the FBI repository under the authority of Section 10-21.9 of the School Code to conduct background checks on certified and non-certified applicants for hire; therefore, the Adam Walsh Act grants access to public schools to conduct national background checks on non-employees (i.e., volunteers and chaperones) and to private elementary and secondary schools to conduct national CHRI checks on its employees.

TO BEGIN CONDUCTING CHECKS UNDER THE ADAM WALSH ACT, PLEASE CONTACT THE ISP BUREAU OF IDENTIFICATION AT (815) 740-5160 TO OBTAIN AN ADAM WALSH ORI NUMBER AND SET UP A USER AGREEMENT.

ACCESS THE ISP ADAM WALSH BROCHURE: http://www.isbe.net/pdf/Adam_Walsh.pdf

NATIONAL CHILD PROTECTION/ VOLUNTEERS FOR CHILDREN ACT

In December 1993, Congress authorized the National Child Protection Act of 1993 (NCPA) (P.L. 103-209), as amended by the Volunteers for Children Act (VCA) (P.L. 105-251) (Section 221 and 222 of the Crime Identification Technology Act of 1998), which authorizes certain nongovernmental organizations to conduct a fingerprint-based national CHRI check to determine an individual's fitness to care for the safety and well-being of children, the elderly and people with disabilities. This Act allows organizations, designated as a qualified entity, to

make a fitness determination based on national CHRI provided by the FBI through the ISP. There are specific criteria that qualified entities must adhere to in order to obtain FBI criminal history record information pursuant to the NCPA/VCA.

TO BEGIN CONDUCTING CHECKS UNDER THE NCPA, PLEASE CONTACT THE ISP BUREAU OF IDENTIFICATION AT (815) 740-5160 TO SET UP A USER AGREEMENT AND OBTAIN AN NCPA ORI NUMBER.

ACCESS THE ISP NCPA BROCHURE: <http://www.isp.state.il.us/docs/2-572.pdf>

VIII. OTHER RESOURCES

FOR FURTHER INFORMATION OR GUIDANCE REGARDING CRIMINAL HISTORY RECORDS CHECKS, PLEASE REVIEW THE **ISP GUIDE TO UNDERSTANDING CRIMINAL BACKGROUND CHECK INFORMATION:**

<http://www.isp.state.il.us/media/docdetails.cfm?DocID=508>.

ISP CHRI SYMPOSIA

The ISP generally conducts two training seminars annually, in the fall and spring, at various locations around the State, for non-criminal justice entities conducting background checks. Please contact the ISP at (815) 740-5160 for information regarding the next training seminar.

NATIONAL SEX OFFENDER REGISTRY

An additional resource for school districts and nonpublic schools is the Dru Sjodin National Sex Offender Public Registry, maintained by the U.S. Department of Justice. While not a required part of any CHRI check under the Illinois School Code, the national database is a resource that school districts, universities or nonpublic schools may want to include in their background checks. The national Registry is a cooperative agreement between states that maintain sex offender registries and the federal government.

ACCESS THE DRU SJODIN NATIONAL SEX OFFENDER PUBLIC REGISTRY: <http://www.nsopr.gov/>

LIVE SCAN VENDOR INFORMATION

The list of live scan vendor agencies is now hosted by the Illinois Department of Professional Regulation. The current list is at: <https://www.idfpr.com/LicenseLookUp/fingerprintlist.asp>

FOR ADDITIONAL INFORMATION, PLEASE CONTACT:

Illinois State Police
Bureau of Identification Customer Service
260 N. Chicago Street
Joliet IL 60432-4072
(815) 740-5160 — Phone
(815) 740-5174 — Fax
boi_customer_support@isp.state.il.us

Jessica Riddick
ISBE Assistant General Counsel
100 W. Randolph Street, Suite 14-300
Chicago IL 60601
(312) 814-2223 — Phone
(312) 814-8871 — Fax
jriddick@isbe.net

For inquiries related to the FBI portion of the criminal history records check, please contact the FBI Helpdesk at (304) 625-2000.

FEE SCHEDULE 2012



Notice of FBI Fee Decrease

Illinois State Police • Bureau of Identification • 260 North Chicago Street • Joliet, Illinois 60432

The Federal Bureau of Investigation (FBI), Criminal Justice Information Services (CJIS) Division has implemented a fee revision, effective March 19, 2012. The revisions are the result of an analysis of the current costs to the FBI for conducting the fingerprint-based CHRI searches. Under the revised fee schedule, non-federal users submitting electronic fingerprint-based CHRI requests will see nearly a 15 percent reduction in their cost per request. Please refer to the table below detailing the upcoming changes.

The fee for all “state” applicant fingerprint submissions processed by the Illinois State Police will remain the same. Should you have any questions regarding the attached information, please feel free to contact our Customer Support Unit at boi_customer_support@isp.state.il.us. The Customer Support Unit hours of operation are Monday through Friday, 8:00 a.m. to 4:00 p.m.

Fee Schedule 2012

Submission Type	Manual/Paper Form	Electronic/Live scan	Resubmission Fee
Fee Applicants (<i>fees effective March 19, 2012</i>)			
<i>State Only</i>	\$20.00	\$15.00	\$10.00
<i>FBI Only</i>	\$16.50	\$16.50	\$10.00
<i>VCA and AWV FBI</i>	N/A	\$15.00	\$10.00
<i>State & FBI</i>	\$36.50	\$31.50	\$20.00
<i>VCA and AWV Full Set (National Child Protection Act/Volunteers for Children Act and Adam Walsh Volunteers)</i>	N/A	\$30.00	\$20.00
Uniform Conviction Information Act Requests (<i>fees effective July 1, 2004</i>)			
<i>Name-based Inquiry</i>	\$16.00	\$10.00	N/A
<i>Fingerprint Card</i>	\$20.00	\$15.00	\$10.00
<u>Court Orders/ Petitions</u>	<u>Petitions</u>	<u>Expungement/Sealing Order</u>	
	No Charge	\$60.00	

For resubmissions, please remember that you must provide the TCN number of the previous submission to qualify for the resubmission fee.