

Maryland Board of Football Officials
Policy Requiring Background Checks
Effective: July 1, 2019

I. Introduction

Pursuant to Section 5-551 of the Family Law Article of the Maryland Code, any individual who officiates at a public or private school must undergo a criminal, fingerprint-based, background check. In order to comply with the law, the Maryland Board of Football Officials (“the Board”) is instituting the following policy and procedures effective July 1, 2019.

II. Policy

- A. This policy applies to all probationary, regular, transfer, and honorary members (collectively referred herein as “officials”) who receive any assignment on behalf of the Board, including on-field, chain crew, and timing assignments.
- B. All officials who are a probationary, regular, transfer, and honorary member as of July 1, 2019, must complete the background check process outlined in Section III by July 19, 2019.
- C. An official may not work any game assignment, including self-assign preseason scrimmages, at any school serviced by the Board until the official has successfully passed the background check.
- D. Individuals who join the Board after September 1, 2019, but during the 2019 football season, must pass a background check using the process outlined in Section III within 10 days of joining the Board.
- E. Individuals who apply or join the Board after the 2019 football, must pass a background check using the process outlined in Section III by:
 - (a) August 1 of the football season if the individual joins the Board prior to the start of the current football season, or
 - (b) within 10 days of joining the Board if the individual joins after August 1 of the current football season.
- F. All documents listed in this policy can be found by clicking on the link entitled “Fingerprinting” located on Arbiter under “Lists”→ “Forms”. These forms are also available on the Board’s website (www.mbfo.org).
- G. Questions regarding this policy may be directed to the Chairperson of the Legal Committee and will be handled confidentially.

III. Procedures

In order to comply with the law, starting July 1, 2019, all officials must complete the following steps to obtain a background check:

1. Officials must review the “Noncriminal Justice Applicant’s Privacy Rights” and “Privacy Act Statement” documents prior to being fingerprinted.
2. Officials must get fingerprinted at either (i) the CJIS Central Repository, (ii) a CJIS Operated Fingerprinting Service, or (iii) a private fingerprint provider authorized by the Maryland Department of Public Safety and Correctional Services.
 - Information related to fingerprinting and the list of CJIS Operated Fingerprint locations and authorized private providers can be found at the Maryland Department of Public Safety and Correctional Services’ website:
<https://www.dpscs.state.md.us/publicservs/fingerprint.shtml>.
3. Within 48 hours after the official is fingerprinted, the official must sign, scan, and email the “Authorization and Release For the Procurement of a Investigative Report for Contractor” form to Commissioner Steve Smith. The official should retain the original signed form.
4. The official will be informed of their success or failure by Baltimore County Public Schools.
5. An official must inform the Board’s President and Chairperson of the Legal Committee within 24 hours if the official is notified that he or she did not successfully pass the background check.

IV. Compliance with Policy

- A. No official may refuse to comply with this policy. An official who voluntarily refuses to comply with this policy by the end of the 2019 football season will have their membership terminated pursuant to Article IV, Section B of the Bylaws.
- B. Since an official who does not successfully pass the background check cannot legally work at any school serviced by the Board, an official who does not pass the background check may resign their membership, or, in the alternative, voluntarily suspend their membership until such time that the official passes the background check. Notwithstanding, if an official cannot pass the background check by the end of the 2019 football season, the official’s membership will be terminated pursuant to Article IV, Section C of the Bylaws.
- C. Any member of the Board who receives information related to the criminal background of an official must keep that information strictly confidential and must not disclose that information except as necessary to comply with this policy, the Bylaws, or applicable law. Any member who violates this provision will be subject to immediate discipline as outlined in the Bylaws.

BACKGROUND CHECK REQUIREMENTS FOR CONTRACTORS SUMMARY DOCUMENT

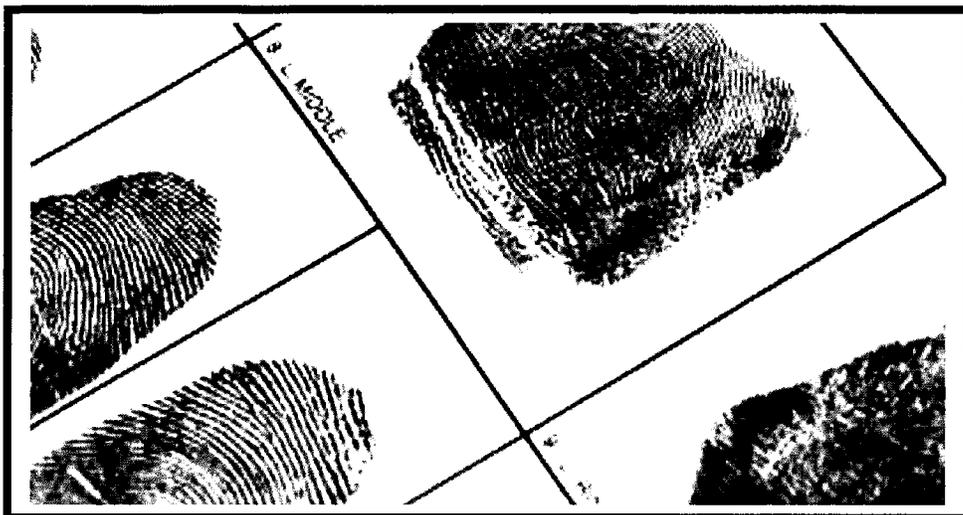
BACKGROUND CHECK REQUIREMENTS for CONTRACTORS of Baltimore County Public Schools (BCPS)-COMPLETE INSTRUCTIONS with attachments (*8 attachments)

Attached and below please find the information for printing contractors who will work on BCPS property:

- **Letter to Contractors*** – *This letter explains the law and information related to fingerprinting of contractor employees.*
 - **Fingerprinting Providers** –All individuals in your work-force who will work on BCPS property are required to be fingerprinted for BCPS at CJIS-Central Repository located at 6776 Reisterstown Road, Suite 102, Baltimore Maryland 21215
or at one of the approved private providers, which can be found at: <https://www.dpscs.state.md.us/publicservs/fingerprint.shtml>
- **Fingerprinting Flyer*** – *This form must be given to each employee to be taken with them to the fingerprint provider so that BCPS will receive the criminal record reports.*
- **COMAR Barrier Crimes (English and Spanish)*** – *Anyone with any of the crimes listed on the COMAR Barrier Crimes list will not be permitted to work on BCPS property. Also, anyone with **pending** criminal charges or anyone **currently** on probation will not be permitted to work on BCPS property.*
- **Response Form For Required Criminal Background Checks*** – *This form should be filled out and sent to BCPS **right after your employees have been sent to be fingerprinted.** The form may be faxed, scanned and emailed to Melinda Basler (mbasler@bcps.org) or mailed to the Office of Investigations and Records Management. It should contain the names of each employee that has been sent to be fingerprinted to work on BCPS property.*
 - **RESPONSE FORMS SHOULD ONLY LIST NAMES ALREADY FINGERPRINTED AND MUST BE RECEIVED WITHIN 10 BUSINESS DAYS OF SENDING EMPLOYEES TO BE PRINTED.**
- **Authorization and Release Affirmation *** –*along with the Response Form, you **must also include a completed, signed release form for each employee who is fingerprinted.** We cannot accept any criminal reports without a signed release affirmation.*
 - The attached NONCRIMINAL JUSTICE APPLICANT’S PRIVACY RIGHTS * and PRIVACY ACT STATEMENT* must be distributed to each listed employee. (receipt to be indicated on affirmation form):

*Please note the following documents need to be returned to Baltimore County Public Schools, Office of Investigations and Records Management, **scan and email** to Melinda Basler (mbasler@bcps.org) or fax: 410-296-2158:*

- *Response form listing all employees who have been printed*
- *Signed Authorization and Release Affirmation for each listed employee*



**PRESENT TO PRIVATE
PROVIDER TO BE
FINGERPRINTED FOR :**

**BALTIMORE COUNTY
PUBLIC SCHOOLS**

**DEPARTMENT OF HUMAN
RESOURCES**

**EMPLOYMENT DISPUTE
RESOLUTION**

**OFFICE OF
INVESTIGATIONS AND
RECORDS MANAGEMENT**

FINGERPRINT AUTHORIZATION NUMBER:

9000017493

ORI CODE (FOR CHILDCARE):

MD 004455Y

**This flyer must be taken with you when you go to
be fingerprinted for
BALTIMORE COUNTY PUBLIC SCHOOLS**

All contractors being fingerprinted for Baltimore County Public Schools (BCPS) need to present this flyer when being fingerprinted by the Maryland Criminal Justice System (CJIS) or an approved provider. These codes will allow BCPS to receive a copy of the background check. Once the background check has been received by BCPS and reviewed, a fingerprint card will be mailed to the contractor company. ***No contractor's employee is cleared to work on BCPS property until this fingerprint card is received by the contractor company.***





COMAR BARRIER CRIMES

UNDER MARYLAND LAW, BALTIMORE COUNTY PUBLIC SCHOOLS CANNOT HIRE ANYONE WHO HAS EVER BEEN CONVICTED OF THE FOLLOWING CRIMES:

- **Abduction**
- **Armed carjacking**
- **Arson**
- **Assault in the first degree**
- **Assault with intent to commit a sexual offense in the 2nd degree**
- **Assault with intent to murder**
- **Assault with intent to rape**
- **Assault with intent to rob**
- **Burglary 1st degree**
- **Burglary 2nd degree**
- **Carjacking**
- **Child abuse in the 1st degree**
- **Child abuse of a minor**
- **Handgun in the commission of a felony or other crime of violence**
- **Kidnapping**
- **Maiming**
- **Manslaughter (except involuntary manslaughter)**
- **Mayhem**
- **Murder**
- **Rape**
- **Robbery**
- **Sexual abuse of a Minor**
- **Sexual offense in the 1ST, 2ND or 3rd degree**



**AUTHORIZATION AND RELEASE FOR THE PROCUREMENT OF A
INVESTIGATIVE REPORT FOR CONTRACTOR**

I, _____ (print full legal name clearly) do hereby authorize **BALTIMORE COUNTY PUBLIC SCHOOLS**, by and through the fingerprint provider to procure a fingerprint-based investigative criminal history records report on me.

The above-mentioned reports include Federal Bureau of Investigation (FBI) and State of Maryland criminal records reports.

I further authorize any person, business entity or governmental agency who may have information relevant to the above to disclose the same to **BALTIMORE COUNTY PUBLIC SCHOOLS**, including, but not limited to, any courthouse, any public agency, and any and all law enforcement agencies, regardless of whether such person, business entity or governmental agency compiled the information itself or received it from other sources.

I hereby release **BALTIMORE COUNTY PUBLIC SCHOOLS**, as well as my current employer, _____ (PRINT EMPLOYER NAME CLEARLY), and any and all persons, business entities and governmental agencies, whether public or private, from any and all liability, claims and/or demands, of whatever kind, to me, my heirs or others making such claims or demands on my behalf, for procuring, providing and/or assisting with the compilation or preparation of the investigative report hereby authorized.

PLEASE NOTE THAT **BALTIMORE COUNTY PUBLIC SCHOOLS MAY RECEIVE ALERT NOTICES WHEN FUTURE ARRESTS / COURT DATES / CRIMINAL INFORMATION IS POSTED TO THE FBI AND/OR THE STATE OF MARYLAND.*

My initials below **affirm that I have received copies** of the following documents as required by the FBI:

NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS: _____

PRIVACY ACT STATEMENT: _____

Signature _____ Date of Birth _____

Date signed _____

NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification¹ that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.²
- If you have a criminal history record, the officials making a determination of your suitability for the employment, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or update of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.³

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁴

If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

¹ Written notification includes electronic notification, but excludes oral notification.

² <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 28 CFR 50.12(b).

⁴ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).