

### **EMPLOYMENT OF A PERSON CONVICTED OF A CRIME**

An applicant for employment who has been convicted of or pleaded guilty to a violation of O.R.C. §2903.13 (assault), O.R.C. §2903.16 (failing to provide for a functionally impaired person), or O.R.C. §2903.21 (aggravated menacing) may be hired by the Board if all of the following conditions are met:

1. The offense was a misdemeanor.
2. The victim of the offense was not a person under eighteen years of age.
3. At least five years have elapsed since the applicant was fully discharged from imprisonment, probation, and parole, or the applicant has had the record of his/her conviction sealed pursuant to O.R.C. §2953.32.
4. The applicant provides written confirmation by a court, his/her parole officer, and/or counselor that the applicant has been rehabilitated.
5. The applicant's hiring will not jeopardize in any way the health, safety, or welfare of the persons served by the District. The following factors shall be considered in determining whether the applicant's hiring will jeopardize the persons served by the District:
  - a. The applicant's age at the time of the offense.
  - b. The age and ability of the victim, including whether the victim is an individual with physical or mental disabilities.
  - c. The nature and seriousness of the offense.
  - d. The circumstances under which the offense was committed.
  - e. The degree to which the applicant participated in the offense.
  - f. The time elapsed since the applicant was fully discharged from imprisonment, probation, and parole.
  - g. The likelihood that the circumstances leading to the offense will recur.
  - h. Whether the applicant is a repeat offender.
  - i. The extent to which the position applied for provides the opportunity for the commission of an offense listed in O.A.C. §3301-20-01(B).

- j. The applicant's employment record.
- k. The applicant's efforts at rehabilitation and the results of those efforts.
- l. Whether any criminal proceedings are pending against the applicant.
- m. Any other factor the Board considers relevant.

It is the applicant's duty to provide written proof that the aforementioned conditions are met. If the applicant fails to provide such proof or if the Board determines that the proof offered by the applicant is inconclusive, the applicant shall not be hired. Any doubt shall be resolved in favor of protecting the persons served by the District.

Notwithstanding the foregoing, the Board shall not employ a teacher who previously has been convicted of or pleaded guilty to any of the offenses listed in O.R.C. §3319.31.