



IOWA DEPARTMENT OF EDUCATION

Community College Accreditation Guidance – SYP Background Investigation

September, 2016

Overview

Instructors employed by the community college who teach courses offered through Senior Year Plus programs may be subject to a criminal background investigation. This document contains guidance regarding the requirements of such investigations, when necessary, for Iowa's community college state accreditation purposes.

Concurrent Enrollment

If a concurrent enrollment course is delivered at a school district facility or neutral site, the instructor must go through a criminal background investigation prior to providing instruction.

Per [Iowa Code 261E.3](#), subsection 2, paragraph "a", subparagraph (6):

If the instruction for any program authorized by this chapter is provided at a school district facility or a neutral site, the teacher or instructor shall have successfully passed a background investigation conducted in accordance with [Iowa Code] [section 272.2](#), subsection 17, prior to providing such instruction. For purposes of this section, "neutral site" means a facility that is not owned or operated by [a school district or postsecondary institution].

An instructor employed by the school district may have completed this background check as part of the initial teacher licensure process.

If a course delivered at a school district location or neutral site is taught by an instructor employed by the community college, the school district is responsible for ensuring the instructor has successfully passed the appropriate background investigation. Iowa Code 261E.3, subsection 3, paragraph k, states:

The school district shall ensure that the background investigation requirement of subsection 2, paragraph "a", subparagraph (6), is satisfied. The school district shall pay for the background investigation conducted in accordance with subsection 2, paragraph "a", subparagraph (6), but may charge the teacher or instructor a fee not to exceed the actual cost charged the school district for the background investigation conducted.

If a course is delivered at a college location and the instructor is employed by the college, the instructor is **not** subject to the background investigation requirement (unless a background investigation is required by the college).

Background Investigation Components

The background investigation required of all secondary instructors and those instructors employed by a postsecondary institution instructing a course offered through concurrent enrollment which is taught at a school district facility or neutral site is outlined in Iowa Code 272.2, section 17. The investigation shall include:

- A criminal background investigation conducted by the Division of Criminal Investigation, Department of Public Safety;
- A completed fingerprint packet to be used to facilitate a national criminal history background check;
- A review of the sex offender registry information under [Iowa Code section 692A.121](#), the central registry for child abuse information under [Iowa Code section 235A](#), and the dependent adult abuse records under [Iowa Code chapter 235B](#).

Postsecondary Enrollment Options

Because all courses offered through Postsecondary Enrollment Options (PSEO) are offered at a postsecondary location, instructors employed by the postsecondary institution assigned to teach a course through PSEO are not required to undergo the criminal background investigation required of secondary instructors pursuant to Iowa Code 272.2, section 17. Instructors shall comply with any criminal background investigation which may be required by the postsecondary institution.

Licensure Requirements

The instructor of any course offered through PSEO or concurrent enrollment, regardless of where the course is delivered, shall not be under suspension or revocation of a Board of Educational Examiners' (BoEE) license or statement of professional recognition (SPR) at the time of instruction. Iowa Code 261E.2, paragraph "e", states:

An individual under suspension or revocation of an educational license or statement of professional recognition issued by the board of educational examiners shall not be allowed to provide instruction for any program authorized by this chapter.

The BoEE maintains an [online database](#) of instructor credentials which is available on their website (www.boee.iowa.gov).

Accreditation Requirement

While the community college is not required to fulfill the criminal background investigation requirement, colleges are expected to collaborate with the school districts in their region to develop a procedure for ensuring the appropriate background investigations are conducted. To this end, the college shall submit evidence indicating the college has communicated these requirements to the school district and established an appropriate procedure.

Regarding the instructor licensure requirement, the institution employing the instructor is responsible for ensuring an instructor is not under suspension or revocation of an educational license or statement of professional recognition. The college shall submit evidence that an appropriate screening is conducted for all instructors assigned to instruct a course offered through concurrent enrollment or PSEO.

Resources

More information on the BoEE criminal background check process and instructor suspensions and revocations is available on their [website](#) (www.boee.iowa.gov).

Additional information on Senior Year Plus can be found in the *Senior Year Plus Guide for Educators and Educational Administrators*, available on the Department of Education's [website](#) (www.educateiowa.gov).

Contact Eric St Clair at eric.stclair@iowa.gov or 515-725-0127 with comments or questions regarding Senior Year Plus criminal background investigation requirements. Contact Barbara Burrows at barbara.burrows@iowa.gov or 515-281-0319 with comments or questions regarding the community college accreditation process. More information on Iowa's state community college accreditation process is available on the division's [website](#).