

## **LB 907 – Criminal Background Checks**

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- **Sample application for employment**
- **Consent to Provide Employment History**
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- **Acknowledgement and Authorization for Criminal Background Check**

## **Legislative Bill 907**

- **Passed by the Legislature in 2014**
- **The goal – to reduce violent crime, recidivism and incarceration rates**
- **Obtaining employment is a key aspect of an offender's re-entry into society**

## **Reasons for Checks**

- **Truthfulness**
  - **Estimated 30-40% of applications contain tweaked or false information**
- **Confirm suitability for:**
  - **Employment**
  - **Working with or around children**
- **Avoid negligent hiring lawsuits**

## **School Districts May NOT**

- **DO NOT ask an applicant to disclose, orally or in writing, criminal record information or history until it has been determined that he/she meets the minimum employment qualifications**
- **Exceptions:**
  - **When required by law**
  - **Record of sexual or physical abuse**

## **School Districts SHOULD**

- **Require applicants to disclose any record of sexual or physical abuse**
- **Adopt job descriptions that define work and employment qualifications**
- **State CONSPICUOUSLY on the application form that the district will conduct criminal history record check and ask about pending charges**

## **School Districts SHOULD**

- **Require all applicants to fill out the application form completely**
- **Check references**
- **Check criminal history records**
- **Adopt policy or practice requiring a criminal history check of applicants who meet the minimum qualifications**
- **Be consistent**

## **Require Confirmation**

- **Have applicants confirm that they:**
  - **Have read the job description**
  - **Understand work and conditions**
  - **Authorize the district to investigate:**
    - **personal references,**
    - **previous employers, and**
    - **All matters related to making a hiring decision**

## **Requirements**

- **Require applicants to:**
  - **Fill out the form completely**
  - **Attest that all statements are true to the best of their knowledge**
  - **Acknowledge their understanding that any misstatement is cause for rejection of application, removal from eligibility list and/or discharge**

## **Requirements**

- **Require applicants to:**
  - **Authorize the district to check with former employers and references**
  - **Conduct a criminal background check if applicant meets minimum employment requirements**

## **Requirements/Release**

- **Require applicants to:**
  - **Release former employers, schools and others from liability in responding to inquiries in connection with applicant's employment**

## **Job Interviews**

- **Develop interview guidelines**
- **Train the interviewers**
- **Apply guidelines consistently**
- **Interview all applicants in person**
- **Prepare a written list of questions**
- **Ask all applicants the same questions**

## **Job Interviews**

- **Make only job-related inquiries**
- **Avoid subjective feelings**
- **Avoid irrelevant notations**
- **Make a record of the interviews**

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