

## **Criminal History Policy: Criminal Background Check and Preliminary Criminal History Evaluation**

### **Texas Certification seeking applicants/candidates must read and sign this acknowledgement form**

Pursuant to the Texas Education Code (TEC), §22.083, candidates seeking certification must undergo a criminal history background check prior to employment as an educator and pursuant to TEC, §22.0835, prior to clinical teaching.

OLLU's Texas certification/educator preparation program requires that applicants and candidates have a clear criminal history background check (nationwide) PRIOR to admittance into the educator preparation program or a favorable Preliminary Criminal History Evaluation letter from TEA about their potential eligibility for educator certification. Applicants with certain criminal convictions or deferred adjudications may not be eligible for placement and thus not able to pursue certification. For more information candidates may review Texas Occupation Code, Chapter 53, Section 53.001-53.105 and/or [Texas Administrative Code Chp. 249, Subchapter B §249.16](#).

Applicants and/or candidates of the OLLU educator preparation program should be aware of the following:

1) Having a criminal history might prevent applicants from attaining a placement and/or completing their clinical teaching or becoming certified educators based on the following factors:

- the nature and seriousness of the crime;
- the relationship of the crime to the purposes that certification is required to become a professional educator;
- the extent to which certification might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved;
- the relationship of the crime to the ability, capacity, or fitness required to perform the duties of a professional educator;
- the extent of the applicant's past criminal activity;
- the age of the person when the crime was committed;
- the amount of time that has elapsed since the person's last criminal activity;
- the conduct and work activity of the person before and after the criminal activity;
- if the person has completed the terms of their probation or deferred adjudication;
- the evidence of rehabilitation; and
- other evidence, including letters of recommendation.

2) Applicants may request a **Preliminary Criminal History Evaluation (PCHE)** prior to admission into the educator preparation program;

- TEA will provide an evaluation for a non-refundable online fee of \$50
- The evaluation will give TEA's written opinion about the individual's eligibility for certification and is based on the individual's self-reported criminal history
- The evaluation is voluntary and non-binding
- You may request a Preliminary Criminal History Evaluation (PCHE) only if:
  - You are enrolled or planning to enroll in an educator preparation program or you are planning to take a certification exam for initial educator certification, and
  - You have reason to believe that you may be ineligible for educator certification due to a conviction or deferred adjudication for a felony or misdemeanor offense.

### **Requesting a Preliminary Criminal History Evaluation (PCHE):**

Effective October 1, 2018, requests for a PCHE must be submitted online

1. Read all [FAQs](#) to ensure that you meet the criteria for a preliminary criminal history evaluation. **Do not submit a PCHE request or make payment if you do not meet the criteria.**
2. Gather the following information, which TEA will require to complete your evaluation. To prevent delay in the agency's response, be prepared to submit all documentation with your request:
  - All offenses that you believe may make you ineligible for a teaching certification,
  - Your statement about the circumstances upon which your arrest(s) were based,
  - All court documentation showing the formal disposition of each offense and related charges. To obtain such documentation, contact the clerk in the jurisdiction (typically a County) in which you were arrested.
3. [Provide payment through Texas Online](#). Retain the Local Reference Number, which is your payment confirmation that will be included in your request. **Please be aware that the fee is non-refundable.**
4. Complete the online [Preliminary Criminal History Evaluation](#) request form. Upon your submission, you will receive a confirmation email that includes a copy of the information you entered.

Once the request and documentation are received, TEA staff will begin evaluation of your criminal history. **Within 90 calendar days**, staff will send you an evaluation letter by email that provides you with the agency's opinion about your potential eligibility for educator certification. The evaluation will be based on the information you provided as part of your request. Should you need to submit additional information during the review, you can do so by responding to your request confirmation email or faxing to 512-936-8247.

**Note to applicants/candidates:** If during the program of study a person becomes ineligible for placement as a result of a certain criminal conviction he/she may have to withdraw from the course and/or program of study and may not be able to complete their course, certification and/or degree requirements. In addition, if upon successful completion of an educational program a candidate is convicted of certain offenses they may become ineligible for certification/certification examination. Please refer to Texas Occupation Code, Chapter 53, Section 53.001-53.105 and/or [Texas Administrative Code Chp. 249, Subchapter B §249.16](#) for further clarification of offenses leading to ineligibility of certification.

I have read and understand the Criminal History Background Check and Preliminary Criminal History Evaluation information contained above regarding Texas Occupation Code, Chapter 53, Section 53.001-53.105 and/or [Texas Administrative Code Chp. 249, Subchapter B §249.16](#) and potential ineligibility for admission, placement, continuation of program, degree completion and/or certification for certain criminal convictions or deferred adjudications.

Applicant/Candidate Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Approved EDUC and TECC – 9/2019