

Professional Standards and Practices Commission

Testimony Senate Education Committee

Senate Bill 1381 – Employment History Reviews and Confidentiality Agreements

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Good Morning Chairman Piccola, Chairman Dinniman and distinguished members of the Senate Education Committee. On behalf of the Professional Standards and Practices Commission, I would like to thank you for the opportunity to appear before you today to offer our comments on SB 1381.

As you know, the Commission is charged with providing leadership for improving the quality of education in this Commonwealth by encouraging and establishing high standards for the preparation, certification, practice and ethical conduct of educators. While our mission is currently confined to those individuals in our schools who hold public school certification or who are charter school staff members, we share what should be the common goal of all educational stakeholders; namely, ensuring the health, safety and welfare of the students in schools across the Commonwealth.

The legislation before the Committee today reflects just one "checkpoint" in enhancing our safety net. The task of safeguarding student safety necessarily involves rigorous personnel practices and standards. SB 1381 recognizes that pre-employment work and performance history reviews must be an integral component of the hiring process for every employee in a school system. While the majority of employees serving in our schools conduct themselves in accordance with the highest moral standards, we have all heard of cases where a more thorough background check on a particular employee may have averted a repeat offense.

Requiring school entities under SB 1381 to supplement interviews, resume reviews and credential verifications with reasonable inquiries into an applicant's work history has both direct and long-term benefits. Verification of an applicant's self-reported work and performance history allows schools to "fact check", while providing an alternative means to assess applicant honesty. Obtaining information directly from prior employers allows for better and more informed employment decisions. The ability to exclude an applicant with a history of inappropriate workplace behavior is, however, the most direct benefit.

Long-term, a school can avoid the costs of a bad hiring decision --- costs related to terminating and replacing an employee, as well as costs related to addressing the aftermath of misconduct in the workplace. Imposing a standardized prior employment screening requirement also sets a tone that schools expect honesty in their applicants before and during employment. Indeed, understanding that information submitted on an employment application will be independently verified may actually deter applicants from misrepresenting or cause potential applicants with a checkered work performance history to withdraw from consideration. Finally, ensuring that the employment selection process identifies the best applicants enhances the public's trust that the adults to whom they have entrusted their children were carefully and purposefully selected.

In supporting the need for standardized employment history reviews, the Commission recognizes that SB 1381 places an additional burden on hiring school entities charged with soliciting verifications and prior employers, both public and private, in responding to requests for information about prior employees. The costs associated with the review pale, however, in relation to the benefits realized by imposing a structured verification of employment and work performance review in all schools across the Commonwealth. By mandating that applicants submit an authorization for disclosure and providing protection for employers who proffer job related information about employees, SB 1381 also promises that the information exchanged with prospective employers will be more meaningful and complete. Moreover, it appears that SB 1381 allows for school entities to incorporate the additional review into its respective hiring processes in a fashion that best meets their needs.

Finally, the Commission fully supports SB 1381's prohibition banning school entities from entering into agreements that would inhibit the fulfillment of their statutory or ethical reporting responsibilities.

In closing, the Commission again thanks you for the opportunity to provide our comments. I am happy to answer any questions you may have on the issue of ensuring student safety in our schools.