

Procedure for Criminal Background Check Appeals

- Any official's license that is issued or renewed shall be provisional in nature pending the successful completion of a criminal background check.
 - This will be noted in the official's application.
- Assistant Commissioner over the Officials Division shall notify, in writing, any official or prospective official that their license is being denied or temporarily/permanently suspended as a result of findings in the criminal background check.
- Any official or prospective official suspended or denied licensure may appeal that decision to the Commissioner. As a part of any appeal to the Commissioner, the following shall be considered:
 - If suspension or denial of license is based upon the conviction of a felony, the Commissioner may restore or issue a license if more than five (5) years have passed since the completion of the sentence/parole/probation issued in the matter (provided the offense was not classified as: a sex crime or criminal offense against a minor as defined in KRS 17.500; unlawful transaction with a minor as set forth in KRS 350.064 or KRS 350.065; or a crime that results in the individuals being listed as a violent offender as defined by KRS 17.165).
 - If suspension or denial of license is based upon any conviction of: sex crime or criminal offense against a minor as defined in KRS 17.500; unlawful transaction with a minor as set forth in KRS 350.064 or KRS 350.065; or a crime that results in the individuals being listed as a violent offender as defined by KRS 17.165, licensure will not be issued or reinstated unless such offense has been reversed by proper authority having jurisdiction over the matter.
- Any official or prospective official may appeal the Commissioner's decision to the Board of Control no earlier than the next regularly scheduled meeting. In support of their appeal, the official or prospective official shall procure and submit a background check from the Department of the Kentucky State Police. The cost of this check shall be borne by the applicant.