

## Policy GBEBDA<sup>3</sup> Criminal Record Checks

Issued 4/17/00/21

The district will require appropriate state criminal background checks as outlined in law on any individual recommended to be employed in a paid or volunteer position. The district will also require appropriate criminal background checks of temporary or permanent employees hired through ~~third~~-third-party vendors, such as employment agencies and contractors.

The cost of the background checks will be paid by the district, except for employees hired through third-party vendors. The fee associated with the SLED criminal record search on teachers and certified staff, bus drivers, instructional assistants, and substitute teachers is waived for the district.

Background checks will include, but not be limited to, State Law Enforcement Division (SLED) database, Department of Social Services Child Abuse and Neglect Registry, national sex offender registry, and web-based networking systems, Surveillance, Resources, and Investigations (SRI). Background checks may also be conducted randomly on current employees or when an employee is being recommended to the board by the superintendent for a promotion or appointment to an administrative or certified instructional support position in the district.

### State Law Enforcement Division (SLED) Criminal Background Checks

The district will obtain a name-based criminal record history check from SLED and/or SRI on all new employees prior to their initial employment. The district will consider the results of all criminal record history checks on an individual basis. In determining how the information obtained impacts the individual's ability to be an effective employee, the district will consider such things as severity of the offense, age of the individual, the direct impact of the offense on children, length of time since conviction or plea, restitution, conduct or remedial actions during probation, and participation in pre-trial intervention and/or expungement.

The district will not employ an individual who has been convicted of or pled guilty to a violent crime as outlined in the law. Also, when making employment decisions, the district will carefully consider information relative to felony convictions as well as information that could result in the revocation or suspension of a professional certificate "for cause" as outlined in the law.

The results of the name-based check will be presented to the board concurrent with the recommendation for employment for certified employees.

### National Sex Offender Registry Checks

The district will perform a National Sex Offender Registry check on all new employees, whether employed on a full-time, part-time, regular, interim, or temporary basis, and all volunteers who work in a school on an interim or regular basis as mentors, coaches, chaperones, or in any other capacity resulting in direct interaction or contact with students.

The district will not permit individuals whose names appear in the National Sex Offender Registry or individuals who have been required to register as sex offenders pursuant to state law to work or serve in the district in any capacity.

If an individual is denied employment in the district as a result of information appearing on the name-based background check, the person may be given an opportunity to respond to the reasons.

Cf. GCF, GCG, IJOA IJOC Adopted

7/27/10; Revised 4/25/17; 00/00/21

Legal References:

S.C. Code, 1976, as amended:

[Section 23-3-115](#) - Fees for criminal record searches; school districts.

[Section 23-3-130](#) - Dissemination of criminal history conviction records upon request.

[Section 59-19-117](#) - Background checks.

[Section 59-25-150](#) and 160 - Revocation or suspension of certificate; "just cause" defined.

S.C. State Board of Education Regulations:

R45-51 - Certification requirements; criminal background checks.

**Richland County School District One**

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