

BACKGROUND CHECKS FOR EMPLOYEES AND VOLUNTEERS

Code **GBEBDA** Revised **2/13**

Purpose: To establish the basic structure for conducting background checks on individuals hired by or volunteering within the school district.

Criminal Record Search

Background checks will include, but not be limited to SLED, Department of Social Services Child Abuse and Neglect Registry, sex offender and web-based networking systems. Background checks may also be conducted on current employees randomly at the discretion of the superintendent or his/her designee, 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.

A name-based South Carolina criminal records search shall be conducted for all individuals hired by the school district Board of Trustees using records maintained by the State Law Enforcement Division pursuant to regulations contained in Subarticle I, Article 3, Chapter 73 of the Code of Regulations. The school district will consider the results of all background checks on an individual basis, including without limitation such things as the impact on the individual's ability to be an effective employee, the severity of the offense, the age of the individual, and the impact of the offense on children.

The school district will not employ an individual convicted of a violent crime as defined in S.C. Code Section 16-1-60. The school district will consider all information relative to felony convictions as well as information that would indicate a basis for revocation or suspension of a professional certificate for "just cause" as described in S.C. Code Section 59-25-160. The school district shall be responsible for paying the fee for the criminal records search conducted pursuant to this policy, except where such fee is waived by the State Law Enforcement Division.

National Sex Offender Registry

The school district will perform a National Sex Offender Registry check on all school district employees hired to serve in any capacity in a school within the school district, all volunteers who work in a school within the school district on an interim or a regular basis as mentors, coaches, or any other capacity, and volunteers who serve as student chaperones or in any other capacity having direct interaction with students.

The school district will not permit individuals to be employed or to serve as volunteers on an interim or regular basis as mentors, coaches, or in any other capacity, or as volunteers who serve as student chaperones or in any other capacity having direct interaction with

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students who are required to register as sex offenders pursuant to S.C. Section 23-3-430 or whose names appear on the National Sex Offender Registry.

Adopted 9/13/10; Revised 2/4/13

Legal References:

- A. S.C. Code, 1976, as amended:
 - 1. Section 59-19-117 – Background checks.
 - 2. Section 59-25-150 and 160 – Revocation or suspension of certificate; “just cause” defined.
 - 3. Section 16-1-60 – Violent crimes defined.
 - 4. Section 23-3-115 – Fees for criminal record searches conducted for charitable organizations.
 - 5. Section 23-3-430 – Sex offender registry; convictions and not guilty by reason of insanity findings requiring registration.