#### EFFECT OF CRIMINAL CONVICTION OR FOUNDED COMPLAINT OF CHILD ABUSE OR NEGLECT

Alexandria City School Board (Board) does not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

#### 10 APPLICANTS FOR EMPLOYMENT

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#### 12 Criminal Convictions

As a condition for employment for all its employees, whether full-time or part-time, permanent, or temporary, the Board requires on its application for employment certification of whether the applicant has been convicted of any violent felony set for the in the definition of barrier crime in subsection A of Va. Code § 19.2392.02; any offense involving sexual molestation, physical or sexual abuse or rape of a child, or the solicitation of any such offense; or any crime of moral turpitude.

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The Board does not employ any individual who has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code §19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense.

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The Board does not employ any individual who has a pattern of criminal convictions related to their position.

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The Board may employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, such individual's civil rights have been restored by the Governor.

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The Board also requires on its application for employment, as a condition of employment requiring direct contact with students, whether full-time or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse or neglect. Any person making a materially false statement regarding a finding of child abuse and neglect is guilty of a Class 1 misdemeanor and upon conviction, the fact of such conviction is grounds for the Virginia Board of Education to revoke such person's license to teach.

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43 As a condition for employment, any applicant who is offered or accepts employment, 44 whether full-time, part-time, permanent or temporary with the Board shall submit to 45 fingerprinting and provide personal descriptive information. The information and 46 fingerprints shall be forwarded through the Central Criminal Records Exchange to the

Federal Bureau of Investigation for the purpose of obtaining criminal history record 47 information on applicants who offer or accept employment. 48

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50 To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, the Board shall inform another school 51 board with which reciprocity has been established and to which the applicant has also 52 applied for employment of the results of the criminal history record information conducted 53 within the previous ninety days that it obtained concerning the applicant. Criminal history 54 record information pertaining to an applicant for employment by a school board shall be 55 exchanged only between school boards in the Commonwealth in which a current agreement 56 of reciprocity for the exchange of such information has been established and is in effect. 57 Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting 58 or criminal records check between the applicant and the Board as provided by statute. 59

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If an applicant is denied employment because of information appearing on the applicant's 61 criminal history record, the Board provides a copy of the information provided by the 62

63 Central Criminal Records Exchange to the applicant.

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#### Founded Complaints of Child Abuse or Neglect 65

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The Board requires, as a condition of employment, that any applicant who is offered or 67 accepts employment requiring direct contact with students, whether full-time or part-time, 68 permanent or temporary, provide written consent and the necessary personal information 69 for the Board to obtain a search of the registry of founded complaints of child abuse and 70 neglect. The registry is maintained by the Department of Social Services. The Board ensures 71 72 that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last 73 five years, the Board requires as a condition of employment that such applicant provide 74 written consent and the necessary personal information for the Board to obtain information 75 from each relevant state as to whether the applicant was the subject of a founded complaint 76 of child abuse and neglect in such state. The Board takes reasonable steps to determine 77 whether the applicant was the subject of a founded complaint of child abuse and neglect in 78 the relevant state. The Department of Social Services shall maintain a database of central 79 child abuse and neglect registries in other states that provide access to out-of-state school 80 systems for use by local school divisions. The applicant may be required to pay the cost of 81 any search conducted pursuant to this subsection at the discretion of the Board. From such 82 funds as may be available for this purpose, however, the Board may pay for the search. 83 84 If the information obtained pursuant to the preceding paragraph indicates that the applicant

85 is the subject of a founded case of child abuse and neglect, such applicant shall be denied 86 employment, or the employment shall be rescinded. 87

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If an applicant is denied employment because of information appearing on his record in the 89

- registry, the Board provides a copy of the information obtained from the registry to the 90
- 91 applicant. The information provided to the Board by the Department of Social Services is
- confidential and is not be disseminated by the Board. 92

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# 94 EMPLOYEE CHARGES AND CONVICTIONS

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### 96 Criminal Proceedings

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An employee who is charged by summons, warrant, indictment, or information with the commission of a felony or misdemeanor specified in Va. Code § 22.1-315 may be suspended in accordance with policy GCPF Suspension of Staff Members.

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If a current employee is suspended or dismissed because of information appearing on the
 employee's criminal history record, the Board provides a copy of the information provided
 by the Central Criminal Records Exchange to the employee.

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106 The Superintendent shall inform the Board of any notification of arrest of a Board employee received pursuant to Virginia Code § 19.2-83.1. The Board shall require such employee, 107 whether full-time or part-time, permanent, or temporary, to submit to fingerprinting and to 108 provide personal descriptive information to be forwarded along with the employee's 109 fingerprints through the Central Criminal Records Exchange to the Federal Bureau of 110 Investigation for the purpose of obtaining criminal history record information regarding 111 112 such employee. The contents of the employee's criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§ 22.1-307 and 22.1-315 113 of the Code of Virginia. 114

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## 116 Founded Complaints of Child Abuse or Neglect

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Any employee of the Board will be dismissed if the employee is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, is grounds for the local school division to recommend that the Virginia Board of Education revoke such person's professional license.

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# 125 COURT ORDERED PROBATION

For purposes of this policy, a court's placing an individual on probation pursuant to Va.
Code §18.2-251 shall be treated as a conviction and as a finding of guilt.

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# 130 COSTS OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND 131 NEGLECT CHECKS

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133 The applicant or employee must pay for the fingerprinting/criminal record check and the 134 abuse and neglect check conducted pursuant to this policy.

- 135 136
- 137 Adopted: March 4, 1999
- 138 Amended: July 6, 2000

| Amended:     | July 12, 2001  |  |
|--------------|--|--|
| Amended:     | April 26, 2007   |  |
| Amended:     | December 3, 2015   |  |
| Amended:     | February 20, 2020  |  |
| Amended:     | December 17, 2020  |  |
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|              |  |  |
|              |  |  |
| Legal Refs.: | Code of Virginia, as amended, §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, |  |
|              | 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 221.315, and 63.2-1515.    |  |
|              |  |  |
|              | Acts 2018, c. 833.   |  |
|              |  |  |
| Cross Refs.: | GCPF   | Suspension of Staff Members  |
|              | GCPD   | Professional Staff Discipline  |
|              | Amended:<br>Amended:<br>Amended:<br>Amended:<br>Legal Refs.:             | Amended:April 26, 200Amended:December 3,Amended:February 20,Amended:December 17Amended:April 25, 202Legal Refs.:Code of Virgi<br>22.1-296.1, 22Acts 2018, c.Cross Refs.:Cross Refs.:GCPF |