

Descriptor Term: FINGERPRINTING - PRE-EMPLOYMENT

Descriptor Code: GAKA

Replaces: GBDB/GCDC

Board Approved: 6/26/2006

Previously Approved: 4/13/2004

The Superintendent will require all new hires effective July 1, 2000 to be fingerprinted. (MS Code §37-9-17 [2,3]) The fingerprint recorded will be submitted to the Department of Public Safety for a State criminal history check and subsequently to the F.B.I. for a national criminal history check. If such record check discloses the existence of a felony conviction, guilty plea, plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense as listed in Section 45-33-23(g), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault which has not been reversed on appeal or for which a pardon has not been granted, the new hire will not be eligible to be employed by the Gulfport School District. Any offer of employment or contract of employment is temporary and conditioned upon a satisfactory records check and is voidable in the event the new hire receives a disqualifying criminal record check. A hearing may be requested by a disqualified new hire in order to show mitigating circumstances and is allowed only at the discretion of the Board of Trustees. In the event a hearing is allowed, the Assistant Superintendent for Personnel is designated by the Board as a hearing officer for the purpose of this section. The hearing officer may recommend to the Board to grant waiver for such mitigating circumstances which will include, but not be limited to: (a) age at which the crime was committed; (b) circumstances surrounding the crime; (c) length of time since the conviction and criminal history since the conviction; (d) work history; (e) current ability of the person to perform the employment responsibilities competently and that the person does not pose a threat to the health or safety of the children of the District.

Legal Reference: Mississippi Code 1972, §37-9-17