

Section 7-20.1. Policy stated; disclosure of prior criminal convictions required; founded complaints of child abuse or neglect; when employment denied because of report from Social Services; grounds for termination of employment. — A. The School Board does not employ or to continue the employment of any part-time, full-time, temporary, or permanent personnel who may be deemed 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.

B. The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board ensures 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 five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board takes reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. Such reasonable steps shall include, but not be limited to, contacting any central child abuse and neglect registry maintained by the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

C. If an applicant is denied employment because of information appearing on the applicant's record in the registry, the School Board upon request of the applicant, provides a copy of the information obtained from the registry to the applicant only. The information provided to the School Board by the Department of Social Services is confidential and is not disseminated by the School Board to anyone other than the applicant.

D. Individuals applying for employment with Suffolk Public Schools for any position shall be required to disclose prior convictions of law other than minor traffic violations (unless applicable to the position) or juvenile offenses. Information provided by applicants may be verified by work history, personal reference or criminal record inquiries to determine the applicant's acceptability for employment. Where a prior conviction is

ascertained, Suffolk Public Schools will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which the applicant has sought. Offenses which are incompatible with employment by the School Board include, but are not limited to, the following:

- (i) conviction of sexual offenses;
- (ii) conviction of crimes involving the taking of money or other property;
- (iii) conviction of violent crimes;
- (iv) conviction of drug-related offenses; and
- (v) conviction of crimes of moral turpitude.

E. If an applicant makes any misrepresentation or willful omission of fact regarding a prior criminal history, such misrepresentation or omission shall be sufficient cause of disqualification of the applicant or termination of employment. (Adopted August 10, 1995; Revised September 8, 2011; Ordinance Number 11/12-6; Effective Date: September 9, 2011; Revised April 10, 2013; Ordinance Number 12/13-43; Effective Date: July 1, 2013)

Legal Authority - Virginia Code §22.1-296.1 (1950), as amended.