

EMPLOYEE CRIMINAL BACKGROUND CHECK

It is the policy of the board to only employ individuals who do not have a “disqualifying record”. Each offer of employment is subject to the provisions of SDCL 13-10-12, et seq., relating to criminal background investigations. This policy shall apply to all individuals employed after July 1, 2000, for the 2000/2001 school year and thereafter, who were not employed by the district during the preceding school year. An employee is any person the district lists on its payroll and makes payroll deductions pursuant to state or federal law.

(NOTE: It is recommended that the district require in its contracts that all service providers having contact with children conduct criminal background checks meeting the requirements of this policy and to certify compliance in writing to the district.)

Each person considered a final applicant for employment shall be provided with a memo to and certification form for completion by the law enforcement agency as provided in Exhibit File GCDB-E1/GDDB-E1 and GCDB-E2/GDDB-E2, together with fingerprint identification cards approved by the South Dakota Division of Criminal Investigation, and an envelope, postage prepaid, addressed to the South Dakota Division of Criminal Investigation, 500 East Capitol Avenue, Pierre, South Dakota, 57501. The final applicant shall take the fingerprint cards, the memo, and the addressed, stamped envelope to a law enforcement agency and submit to the fingerprint process.

Any person granted employment subject to this policy is employed on a temporary basis conditional upon no disqualifying report being received from the criminal background investigation. Any disqualifying record will result in immediate termination of employment without further notice or hearing. A “disqualifying record” means any conviction of a crime of violence as defined in SDCL 22-1-2(19), a sex offense as defined in SDCL 22-22-30, or trafficking in narcotics.

This policy shall not apply to persons performing services for the district under the authority of the South Dakota High Schools Activities Association.

This policy applies to all other employment agreements, whether written or oral.

ADOPTED: July 24, 2000
REVISED: July 25, 2005
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