The district will require appropriate state criminal background checks as outlined in law on any individual recommended to be employed in a paid or volunteer position.

The cost of the background checks will be paid by the option: district or the applicant. The fee associated with the criminal record search on a teacher or a substitute teacher is waived for the district.

State Law Enforcement Division (SLED) Background Checks

The district will obtain a name-based criminal record history check from SLED on all new employees prior to their initial employment. The district will consider the results of all criminal record history checks on an individual basis. In determining how the information obtained impacts the individual’s ability to be an effective employee, the district will consider such things as severity of offense, age of the individual, direct impact of the offense on children, length of time since conviction or plea, restitution, conduct or remedial actions during probation, and participation in pre-trial intervention and/or expungement.

The district will not employ an individual who has been convicted of or pled guilty to a violent crime as outlined in law. Also, when making employment decisions, the district will carefully consider information relative to felony convictions as well as information that could result in the revocation or suspension of a professional certificate “for cause” as outlined in law.

An applicant may write a personal statement regarding information documented in his/her criminal record history. The statement should be submitted to the chief human resources officer for review.

The results of the name-based check will be presented to the board concurrent with the recommendation for employment.

National Sex Offender Registry Checks

The district will perform a National Sex Offender Registry check on all new employees, whether employed on a full-time, part-time, regular, interim, or temporary basis, and all volunteers who work in a school on an interim or regular basis as mentors, coaches, chaperones, or in any other capacity resulting in direct interaction or contact with students.

The district will not permit individuals whose names appear in the National Sex Offender Registry or individuals who have been required to register as sex offenders pursuant to state law to work or serve in the district in any capacity.
If an individual is denied employment in the district as a result of information appearing on the name-based background check, the person may be given an opportunity to respond to the reasons.

Cf. GCF, GCG, GDF, IJOA, IJOB/IJOC

Adopted ^

Legal References:

A. S.C. Code, 1976, as amended:
   1. Section 23-3-115 - Fees for criminal record searches; school districts.
   2. Section 23-3-130 - Dissemination of criminal history conviction records upon request.

B. S.C. State Board of Education Regulations:
   1. R45-51 - Certification requirements; criminal background checks.