

## **EMPLOYEE CRIMINAL BACKGROUND CHECK**

It is the policy of the Board to employ only those 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 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.

Any person granted employment subject to this policy is employed on a temporary basis conditioned 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(9), a sex offense as defined in SDCL 22-022-30, or trafficking in narcotics. Conviction of any crime of moral turpitude as defined by SDCL 22-1-2(25) may constitute a disqualifying record as determined by the board on a case-by-case basis. Any criminal conviction not disclosed by an applicant may be treated as a disqualifying record. Any criminal conviction may be considered in making a hiring decision.

The applicant shall pay the amount necessary to cover the costs of the criminal record check or the applicant shall reimburse the school district the cost for such background check.

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

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

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