

<b>MARION SCHOOL DISTRICT 60-3</b>	<b>NEPN Code: GBB</b>
<b>PERSONNEL POLICIES</b>	

**EMPLOYEE/STUDENT TEACHER CRIMINAL BACKGROUND CHECK**

It is the policy of the Board to employ only individuals and to allow only student teachers who do not have a “disqualifying record.” Each offer of employment or student teacher experience is subject to provisions of SDCL 13-10-12, et seq., relating to criminal background investigations. This policy shall apply to all individuals employed in the Marion School District. An employee is any person the district lists on its payroll and makes payroll deductions pursuant to state or federal law. This District may also elect to require background checks for volunteers.

Each person, 18 years and older, considered the final applicant for employment and each student teacher applicant shall submit a criminal background investigation by means of checks by the South Dakota Division of Criminal Investigation and the Federal Bureau of Investigation. Applicants are required to take their fingerprint cards to the local Sheriff’s office for a fingerprinting procedure. All fingerprint cards are to be mailed to the South Dakota Division of Criminal Investigation, 500 East Capitol Avenue, Pierre, SD 57501 before the prospective employee enters into service. The prospective employee must also provide to the Superintendent a check or money order payable to the South Dakota Division of Criminal Investigation in the amount necessary to cover the costs of the criminal record check.

Any person granted employment or a student teaching or interning experience is subject to this policy and may enter into service 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 22-22-30, or trafficking in narcotics. (See GBB-R) Conviction of any crime of moral turpitude as defined by SDCL 22-1-2(25) may constitute a disqualifying record as determined by the Superintendent on a case-by-case basis. Any criminal conviction may be considered in making a hiring decision. Any criminal conviction not disclosed by an applicant may be treated as a disqualifying record.

For a fee of \$15.00, copies of such reports less than five years old shall be made to other employers upon written request of the employee.

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

**LEGAL REF:** SDCL 22-1-2(9)  
SDCL 22-22-30  
SDCL 22-1-2(25)  
SDCL 13-10-12

**1<sup>st</sup> Read:** February 13, 2012