

Menno School District	NEPN Code: GCDB
Policy Manual	

EMPLOYEE CRIMINAL BACKGROUND CHECK

It is the policy of the board to only employ individuals who do not have a "disqualifying record." A "disqualifying record" means any conviction of a crime of violence, sex offense, or trafficking in narcotics.

Each offer of employment is subject to the provisions 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.

The Superintendent will provide each person considered a final applicant for employment the following information:

1. Memo of instructions
2. Certification form
3. Fingerprint identification cards (approved by the South Dakota Division of Criminal Investigation)
4. Envelope, postage prepaid, addressed to:

South Dakota Division of Criminal Investigation - ID Section
1302 E. Hwy 14, Suite 5
Pierre, South Dakota 57501

The final applicant shall take the fingerprint cards, memo, certification form, and the addressed, stamped envelope to a law enforcement agency and submit to the fingerprinting process. The final applicant must also provide to the law enforcement agency a check or money order made out to the South Dakota Division of Criminal Investigation for the cost of the process.

The law enforcement agency will mail the information to DCI.

The final applicant's completed application will be attached to the certification of the law enforcement agency when received.

Any person granted employment subject to this policy is employed on a temporary basis conditioned upon no disqualifying record being received from the criminal background investigation. Any disqualifying record will result in immediate termination of employment without further notice or hearing.

Conviction of any crime of moral turpitude 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 successful applicant shall be reimbursed the cost for such background check in the event that no disqualifying record is identified.

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.

Legal References: SDCL 13-10-12; 13-10-13; 13-10-14; 13-10-15; 13-10-16;
SDCL 22-1-2 (19); 22-1-2 (25); 22-24B-1

Adopted: 7-13-09

Revised: