

Prior to Employment

In accordance with O.C.G.A. 20-2-211(e)(1), effective July 1, 2000, all personnel, certified and classified, employed by the Cherokee Board of Education will be fingerprinted and have a criminal history record check completed. All fingerprints and criminal history record checks will be conducted by the Cherokee County School Police Department. The method of obtaining fingerprints and of submission to the Georgia Crime Information Center and National Crime Information Center will be as prescribed by O.C.G.A. 20-2-211, as amended, and by the State Board of Education's policies, rules and regulations.

In addition, substitutes, lay coaches (paid/non-paid and volunteer) and others working in the School District who may potentially be in an unsupervised capacity with students on a regularly scheduled basis will be required to be fingerprinted and have a criminal history record check conducted.

Volunteers, student teachers and others working in a non-paid position in the School District who work with students on a regularly scheduled basis in an unsupervised capacity will be required to have a criminal history record check conducted but will not incur fingerprinting fees.

Fingerprints and/or criminal history record checks will be required even though the applicant may have undergone fingerprinting and criminal history record checks by another School District, or from previous employment with Cherokee County.

At the time of initial employment, or when initially selected to provide substitute, lay coach or other services as described in this policy, the person so employed/utilized will be required to pay all cost associated with fingerprinting.

Provisional Employment

• **Certified Positions**

Each person employed to fill a certificated position in the School District will be issued a temporary contract which will expire on the date the criminal history record check has been received by the School District and the Superintendent or designee has notified the employee in writing the criminal record check has been received or after 20 days, whichever will first occur. If the criminal history record check reflects that the certified employee has not been arrested, charged, plead guilty or no contest, or been convicted of any criminal offense other than a minor traffic violation, the Superintendent will have the authority without further authorization from the School Board to sign on behalf of the School Board a standard employment contract as previously approved by the School Board.

In the event the criminal history record check reflects that the certified employee has been charged with, plead to or been convicted of an offense other than a minor traffic violation, the Office of Human Resources will have authority to request additional information or explanation from the applicant or the Cherokee County School Police Department. The

purpose will be to clarify information contained in the applicant's record, determine if there were attempts to falsify, misrepresent, or omit pertinent information, and to ensure that the applicant meets hiring guidelines.

- **Classified position (Non-Certified)**

Each person employed to fill a classified position in the School District will be employed contingent upon completion of the criminal history record check. If the criminal history record check reflects that the classified employee has not been arrested, charged, plead guilty or no contest, or been convicted of any criminal offense other than a minor traffic violation, the Superintendent will have the authority to continue the employment without further authorization from the School Board.

In the event the criminal history record check reflects that the classified employee has been charged with, plead guilty or been convicted of an offense other than a minor traffic violation, the Office of Human Resources will have authority to request additional information or explanation from the applicant or the Cherokee County School Police Department. The purpose will be to clarify information contained in the applicant's records, determine if there were attempts to falsify, misrepresent, or omit pertinent information, and to ensure that the applicant meets hiring guidelines.

- **Volunteers/Substitutes/Lay Coaches/Other**

Persons working within the School District in a paid or non-paid capacity are permitted to do so contingent upon completion of a criminal history record check.

Continuous Verification

All certified personnel whose employment is renewed in the School District after July 1, 2000 will have a criminal history record check completed as required for any certificate renewal application as required by the Professional Standards Commission. All certified personnel who were hired prior to July 1, 2000 and were not fingerprinted at the time of employment will be required to be fingerprinted and have a criminal history record check completed. All fees associated with this process will be paid by the employee. Any criminal history record information will be forwarded with the renewal application to the Professional Standards Commission.

All classified (non-certified) personnel who continue in employment in the School District will have a criminal history record check completed every fifth year of employment or more frequently if determined necessary by the Superintendent. All classified (non-certified) personnel who were hired prior to July 1, 2000 and were not fingerprinted at the time of employment will be required to be fingerprinted and have a criminal history record check completed. All fees associated with this process will be paid by the employee.

All volunteers, substitutes, lay coaches, and others working in the system will have a criminal history record check completed each year at the time of renewal for service.

Use and Handling of Criminal Record Information

For all personnel, if the criminal history record reveals a charge, conviction, or plea, the information must be forwarded to the Office of Human Resources for review and evaluation. Consideration for continued employment will be based upon the nature of the offense(s), when the offense(s) was committed, and the employee's work record. The final decision will focus on conduct, morality, and other good and sufficient cause. The safety and security of students will receive primary emphasis.

Criminal history record information will be used by the School District and its authorized officials and employees only for the purpose of determining employment status, and in the administrative or judicial proceeding calling such employment in question, and will be stored, restricted and disposed of in such manner as may be required by federal or state authorities. When deemed appropriate, criminal history record information may be referred by the Superintendent to the Professional Standards Commission for further investigation. Fingerprints and criminal history record information will be the property of the School District.

ADOPTED: August 2, 2001
REVISED: July 18, 2019

Cherokee County Board of Education