

## **SURRY SCHOOL BOARD POLICY**

### **Policy GBCD: Background Investigation and Criminal Records Check**

The Surry School District is recognized as a sending district. As such, the School Board does not operate schools or have school district employees. The administration may retain independent contractors to provide education and related services to resident students with the following safeguards in place. In accord with RSA 189:13-a, this policy applies to school administrative unit #91 employees, designated volunteers,<sup>1</sup> and to individuals who Surry School District or SAU #91 contract with to provide services to, or to supervise, students residing in the Surry School District. Parents/guardians who seek to volunteer in schools that their children are attending must comply with the policies and procedures for that particular school/school district.

1. Review. The Superintendent or designee shall conduct a review of the employment history and any other background information relevant to providing services to resident students. As part of this review, the applicant or independent contractor shall be asked whether he/she has ever been convicted of any crime which has not been annulled and whether there are any criminal charges pending against him/her.
2. Background check. An independent contractor shall provide the following:
  - a. Documentation of a recent satisfactory criminal history records check to the Superintendent or designee or,
  - b. Submit a criminal history records release form along with a full set of fingerprints, as provided by the state or local police, authorizing the criminal history records check process, with the results released to the superintendent or designee.

Applicants for employment within the SAU Office shall have a background check, including a criminal history records check, prior to a final offer of employment. The SAU may extend a conditional offer of employment to a selected applicant, with a final offer subject to a successfully completed criminal history records check.

3. Initiation of services. The employment or contracted service shall not begin until the Superintendent or designee has received documentation of a satisfactory criminal background check or the formal criminal history records check process has been initiated. Final offers shall not be extended until the completion of the criminal history records check.
4. Results of Criminal History Records Check. The results of the criminal history records check shall be delivered to the Superintendent or designee and shall be maintained as confidential in accord with RSA 189:13-a.
  - a. If the results of the records check disclose no criminal record, the results and information shall be destroyed following review by the Superintendent or designee. Destruction shall occur within 60 days of receipt of the results.
  - b. If the results of the record check disclose that the applicant or independent contractor has either been convicted or is charged pending disposition of a violation or attempted violation of a RSA 189:13-a, V ("Section V offense"), the contract will be terminated and the department of education shall be notified.

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<sup>1</sup> The Superintendent is authorized to designate individuals who come into direct contact with students and who is assigned by the Sullivan School District or SAU office to volunteer.

- c. Non-Section V Offenses. The Superintendent may terminate an offer of employment or contract based upon convictions or charges of other misdemeanors or felonies, if termination is the best interests of the students and the District.
5. Training. The independent contractor shall provide documentation of education and training concerning child sexual abuse prevention, sexual assault and harassment policy training, warning signs of child abuse, and reporting mandates. Such training shall be completed within thirty days of service and renewed every two years.
6. The Superintendent or designee shall take steps to assure that contractor agreements include a provision to complete criminal history records check and comply with the training and information as required in RSA 189:13-a.
7. The cost for criminal history records checks shall be borne by the contractor.
8. The falsification or omission of information concerning criminal convictions or pending criminal charges, shall be grounds for immediate disqualification from consideration for employment, withdrawal of any offer of employment, immediate discharge from employment, or immediate termination of a contract.

Legal References: RSA 189:13-a, School Employee and Designated Volunteer Background Criminal History Records Check

Attachment: NH Dept of Safety Division of State Police Criminal History Record Release

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