



Georgia Department of Education

Policies and Procedures

Policy Title:	<i>Reports of Criminal Charges/Fingerprinting/ Criminal Background Checks, State Schools</i>		
Policy Number:	<i>SS-3002 Descriptor Code-GBD-3</i>		
Release Date:	<i>09-01-02</i>	Last Revised:	<i>11-22-03</i>

Purpose

To describe the process by which State School employees are to report any arrests, charges, or criminal convictions, the consequences of certain criminal convictions and the consequences of failure to report arrests, charges, or criminal convictions.

Applicability

This policy applies to all employees of the Atlanta Area School for the Deaf, Georgia Academy for the Blind, and the Georgia School for the Deaf.

Policy

As a condition of employment, employees at the State Schools are required to disclose the following information: any arrest, charge, or conviction for any crime, except for minor traffic offenses with fines of \$35.00 or less. This includes any drug-related charges, any charges related to driving under the influence, first offender pleas (regardless of whether the record has been expunged), and pleas of nolo contendere.

Employees of the State Schools are required to report pending criminal charges in writing to the Department of Education (DOE) Human Resources office and further report in writing when a disposition of the charge is made. Failure to report a pending criminal charge and/or the disposition of the charge will result in disciplinary action up to and including dismissal from employment.

Appropriate action will be taken to terminate employees convicted of the following crimes: any felony; simple battery when the victim is a minor; contributing to the delinquency of a minor; sexual offenses; criminal attempt when the crime attempted is any of the crimes specified above; or any other offenses committed in another jurisdiction which, if committed in this state, would be one of the above enumerated crimes.

Any employee discovered as providing false information or omitting information on the employment application and/or the Security Questionnaire/Loyalty Oath may immediately be terminated for failing to be truthful during the employment process.

General Provisions

Procedures for Fingerprinting and Criminal Background Checks

1. Certificated employees of the DOE State Schools shall have a criminal record check made as required by O.C.G.A. § 20-2-211 (e)(1) upon any certificate renewal application to the Professional Standards Commission.
2. All other employees of the DOE State Schools who are not covered by the above paragraph relating to certificated personnel shall be fingerprinted and have a criminal record check as required by O.C.G.A. § 20-2-211 (e)(1).
3. DOE State School employees who are not considered to be certificated personnel shall be fingerprinted and have a criminal record check during each five-year period based on the last four digits of their Social Security numbers in accordance with the following schedule:

School Year	Last Four Digits <u>Employee Social Security Number</u>
2002-2003	0000 through 1999
2003-2004	2000 through 3999
2004-2005	4000 through 5999
2005-2006	6000 through 7999
2006-2007	8000 through 9999

Procedure for Reporting Criminal Charges

1. The employee must complete Section I of the State School Employee Report of Criminal Charge form and submit the form to the State School Human Resources office by the end of the next business day following the date of the criminal charge(s).
2. The State School will retain the original form and fax a copy to the DOE Human Resources Office.
3. The State School Human Resource office must track the court date.
4. After final disposition of the charges, the employee must return to the State School's human resources office to complete Section II of the State School Employee Report of Criminal Charge form.
5. The complete original document must be sent to the DOE Human Resources Office by the State School.

6. The State School Employee Report of Criminal Charges form will become part of the employee's personnel file.

**Authority and/or
Cross-Reference**

- O.C.G.A. 35.-3-38 and 49-2-14
- State Schools *Reports of Criminal Charges* Policy (SS-5008)
- HB 1187