

Section 7-20.3. Search of registry of founded child abuse complaints; when applicant has resided in another state; when applicant denied employment; providing false information. —

A. The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect and provide written consent and necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board ensures that all such searches are requested in conformance with regulations of the Board of Social Services.

B. The School Board ensures that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board takes reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

C. If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded. If an applicant is denied employment because of information appearing on the applicant's record in the registry, the School Board provides a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services is confidential and is not disseminated by the School Board.

D. Any person making a materially false statement regarding a finding of child abuse and neglect ~~shall be~~ is guilty of a Class 1 misdemeanor and upon conviction, the fact of ~~said such~~ is conviction ~~shall be~~ is grounds for the Board of Education to revoke such person's license to teach. (Adopted August 21, 2008; Ordinance Number 08/09-6; Effective: August 21, 2008; Revised April 10, 2013; Ordinance Number 12/13-44; Effective Date: July 1, 2013)

Legal Authority — Virginia Code §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, and 63.2-1515 (1950), as amended.

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