

SMYRNA SCHOOL DISTRICT

POLICY

Section:	4000 Personnel	Office Responsible:	Human Resources
Policy:	4113 Fingerprint-Based Criminal History Record Information Use, Storage and Retention		
Related Policies:			

I. Purpose

In compliance with Delaware Code, this policy aims to ensure a safe and secure environment for all employees and students at the Smyrna School District. All offers of employment are contingent upon clearance of this thorough background check.

II. Authority

Title 14, Delaware Admin. Code, 745 Criminal Background Check for Public School Related Employment.

III. Policy Statement

A criminal background check shall be completed for all employees, contractors, and volunteers of the Smyrna School District. It shall consist of a fingerprint-based Delaware and national background check completed by the State Bureau of Identification (SBI) and the Federal Bureau of Investigation (FBI). Additionally, a Child Protection Registry Check shall be completed by the Department of Services for Children, Youth and Their Families. This policy is applicable to all state and national criminal history record checks made for non-criminal justice purposes and requested under applicable federal authority and/or state statute.

IV. Policy

All employees, contractors, and school volunteers will be informed of this requirement and instructions on how to comply with the law by human resources. Such instructions will include information on the procedure for scheduling an appointment with SBI and the timeline for submission of results.

V. Guidelines

Physical Protection of CHRI

Criminal History Record Information (CHRI) also known as Criminal Background Checks (CBC) are stored by last name in folders separate from an employee's personnel file. The CBC's are located in a locked file cabinet in the Human Resource Office. CBC's are only viewable by the members of the Human Resources Department who have completed security awareness training for CHRI. CBC's are retained for the duration of an employee's employment with the Smyrna School District. An employee's CBC is destroyed with six (6) months of their departure from the Smyrna School District.

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Misuse of CHRI

Using CHRI for any purpose other than what is allowed by state statute or Federal code is considered misuse. According to state policy the exchange of CHRI is subject to immediate cancellation if dissemination is made outside the receiving departments or related agencies and if CHRI is used for any other reason that is not stated in Delaware Law.

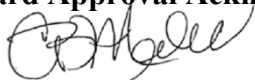
Protocol for Intentional Misuse of CHRI

In the event intentional misuse of CHRI is discovered the following steps will take place:

1. Identify the misuse
2. Preserve evidence
3. Notify proper authorities
4. Assess legal obligation
5. Contain the misuse
6. Conduct an internal investigation
7. Address the issue
8. Training and awareness
9. Document the incident
10. Prevent future misuse
11. Continuous monitoring

CHRI misuse can result in loss of access to CHRI, loss of employment and/or criminal prosecution. Misuse of CHRI shall be reported to the State of Delaware.

Board Approval Acknowledged by:



Christine Malec, President
Smyrna School District Board of Education

Policy Actions

Adopted: 11/20/2024

Revised: