

**OFFICE OF CHIEF OPERATIONS OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**September 28, 2023**

**OFFICE OF HUMAN RESOURCES**

- K. Approval to revise Mississippi Administrative Code 37-1-3 State Board Policy Chapter 3, Rule 27.1 – Criminal Records Background Checks on Applicants for Employment, State Department of Education Staff, Mississippi School for the Deaf and Blind, Mississippi School for Mathematics and Science, and Mississippi School of the Arts  
(Has cleared the Administrative Procedures Act process without public comments)

Background Information: The Office of Human Resources revises the rule that establishes the policies and protocol for criminal records background checks on applicants.

Recommendation: Approval

Back-up material attached

## Part 3 Chapter 27: Criminal Background Checks

*Rule 27.1 CRIMINAL RECORDS BACKGROUND CHECKS ON APPLICANTS FOR EMPLOYMENT.* Upon State Board of Education approval, any applicant recommended for employment with the Mississippi Schools for the Deaf and Blind, Mississippi School for Mathematics and Science, Mississippi School of the Arts, and the MDE, hereafter referred to as "schools and/or departments" shall submit to criminal records background checks.

The applicant shall be fingerprinted to determine the applicant's suitability for employment. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the FBI for a national criminal history records check. The applicant may be required to pay fee for such fingerprinting and criminal history records checks.

If such fingerprinting or criminal record checks disclose a felony conviction, guilty plea or plea of nolo contendere to any of the felonies listed in Miss. Code Ann. § 25-1-113, felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offenses listed in Miss. Code Ann. §45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault which has not been reversed on appeal or for which a pardon has not been granted, the new hire shall not be eligible for employment.

Note: Any and all information received through the criminal history records check shall be kept strictly confidential. The information provided from these checks shall only be used for employment purposes.

Source: *Miss. Code Ann. § 37-1-3 (Revised 7/2023)*