

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 444

An Act to amend and reenact § 22.1-296.2 of the Code of Virginia, relating to criminal records checks for school board employees.

[H 1615]

Approved March 16, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-296.2 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-296.2. Fingerprinting required.

As a condition of employment, the school boards of the Counties of Albemarle, Campbell, Chesterfield, Cumberland, *Dinwiddie*, Essex, Fairfax, Fauquier, Fluvanna, Frederick, Greene, Hanover, Henrico, Henry, Isle of Wight, Loudoun, Louisa, *Middlesex*, Nelson, *New Kent*, Orange, Pittsylvania, Prince William, *Roanoke*, Rockbridge, Spotsylvania, ~~and~~ Stafford, *and Westmoreland* and the Cities of Alexandria, Bristol, Charlottesville, Chesapeake, Danville, Falls Church, Fredericksburg, Hampton, Hopewell, *Lynchburg*, Manassas, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, *Suffolk*, Virginia Beach, *Waynesboro*, and Winchester shall require any applicant who is offered or accepts employment after July 1, 1989, whether full-time or part-time, permanent, or temporary, to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such applicant; however, such applicant may be required to pay the cost of such fingerprinting or criminal records check at the discretion of the school board. From such funds as may be available for this purpose, the school board may pay for the fingerprinting or criminal records check.

The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall report to the school board whether or not the applicant has ever been convicted of murder, abduction for immoral purposes as set out in § 18.2-48, sexual assault as set out in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, failing to secure medical attention for an injured child, pandering as set out in § 18.2-355, crimes against nature involving children as set out in § 18.2-361, taking indecent liberties with children as set out in § 18.2-370 or § 18.2-370.1, neglect of children as set out in § 18.2-371.1, ~~or~~ obscenity offenses as set out in § 18.2-374.1 or § 18.2-379, possession or distribution of drugs as set out in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, arson as set out in Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2, use of a firearm in the commission of a felony as set out in § 18.2-53.1, or an equivalent offense in another state. The Central Criminal Records Exchange shall not disclose information to the school board regarding charges or convictions of any crimes not specified in this section. If an applicant is denied employment because of information appearing on his criminal history record, the school board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the applicant. The information provided to the school board shall not be disseminated except as provided in this section.