

PERSONNEL

Criminal Background Investigations

*Paid Full & Part-time Employees / Certified and Classified Substitutes*

It is the policy of the Board that any finalist recommended for hire to a paid position with the District shall authorize in writing their agreement to a comprehensive criminal background check, which will include a fingerprint background check. The criminal background check will be conducted by the appropriate state and/or federal agencies. Any offer of employment or appointment shall be contingent upon the results of the comprehensive criminal background check. The employee will not be allowed to begin work until the District has received and approved the results of the criminal background check. The cost for the criminal background check shall be borne by the District.

The District will accept the report of a previous fingerprint-based background check completed within the six (6) months before for the non-licensed substitute teacher applied if it is submitted by a Montana university or college where the applicant is currently or was formerly enrolled in an accredited Montana professional educator program or from a public or nonpublic state-accredited school that previously employed the applicant.

The Superintendent may determine that a critical staffing need exists and in such cases the Superintendent and/or his or her designee may allow the employee to begin work after the District has approved a name-based background check. Such employment will be temporary, pending completion of the comprehensive criminal background check, including a fingerprint background check.

*Volunteers*

All volunteers who have unsupervised access to District students on District property or at a District sanctioned event will be required to provide two forms of identification, (a government issued photo ID and another reliable proof of identity). In addition, all volunteers will be required to submit to a criminal background check, which will include a name-based background check. Volunteers who have unsupervised access to students or who serve as chaperones for school-sponsored trips are required to submit to a comprehensive criminal background check including a fingerprint background check and will not be able to serve until the District has received and approved the results of the criminal background check.

The District may, at its discretion, waive criminal background checks for volunteers who assist with events similar in nature to bake sales and book sales and who do not have unsupervised access to students.

*Other*

The following applicants for employment shall be required as a condition of any offer of employment to authorize, in writing, a comprehensive criminal background investigation to determine if he or she has been convicted of certain criminal or drug offenses:

- Education support personnel seeking full- or part-time employment within the District;
- Any employee of a person or firm holding a contract with the District;

Any requirement of an applicant or employee of a contractor to submit to a fingerprint background check will be in compliance with the National Child Protection Act and applicable state and federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent or his/her designee, who shall decide whether the applicant shall be declared eligible for appointment or employment.

Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending and prohibit the individual from working as an employee.

The Superintendent shall keep all criminal record information confidential as required by law.

Cross Reference:

Legal Reference:	42 USC 5119a	National Child Protection Act
	10.55.716, ARM	Substitute Teachers
	10.57.201a, ARM	Criminal History Background Check
	§ 44-5-301, MCA	Dissemination of public criminal justice information
	§ 44-5-302, MCA	Dissemination of criminal history record information that is not public criminal justice information
	§ 44-5-303, MCA	Dissemination of confidential criminal justice information – procedure for dissemination through court

Policy History:

Adopted on: 5.14.2019

Revised on: