

2
3 **PERSONNEL**

4
5 Fingerprints and Criminal Background Investigations

6
7 Board policy requires that any finalist recommended to be employed in a paid or volunteer position with the District,
8 involving regular unsupervised access to students in schools, as determined by the Superintendent, shall submit to a
9 name-based and fingerprint criminal background investigation conducted by the appropriate law enforcement
10 agency before consideration of the recommendation for employment or appointment by the Board. The results of
11 the name-based check will be presented to the Board, concurrent with the recommendation for employment or
12 appointment. Any subsequent offer of employment or appointment will be contingent on results of the fingerprint
13 criminal background check, which must be acceptable to the Board, in its sole discretion.

14
15 The following applicants for employment, as a condition for employment, will be required, as a condition of any
16 offer of employment, to authorize, in writing, a name-based and fingerprint criminal background investigation:

- 17
18 • A certified teacher seeking full- or part-time employment with the District;
19 • An educational support personnel employee seeking full- or part-time employment with the District;
20 • An employee of a person or firm holding a contract with the District, if the employee is assigned to the
21 District;
22 • A volunteer assigned to work in the District, who has regular unsupervised access to students; and
23 • Substitute teachers.

24
25 All substitute applicants and unsupervised volunteers will be required to undergo fingerprint and background checks
26 prior to being hired. The cost of the fingerprint and background checks will be paid by the applicant and fully
27 reimbursed upon hire at the request of the new employee. The cost of fingerprint and background checks for
28 volunteers will be paid for by the District.

29
30 The District will exercise the discretion to allow a volunteer to serve once or twice a year without having to
31 complete a Criminal Background check, including fingerprinting. A volunteer so serving is to remain under the
32 direct supervision of the Teacher and within close visual and auditory proximity. Under no circumstances should
33 such a volunteer serve on over-night events.

34
35 Any requirement of an applicant to submit to a fingerprint background check will be in compliance with the
36 Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior record of arrest
37 or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic
38 violation, the facts must be reviewed by the Superintendent, who will decide whether the applicant will be declared
39 eligible for appointment or employment. Arrests resolved without conviction will not be considered in the hiring
40 process, unless the charges are pending.

41
42 Legal Reference: 44-5-301, MCA Dissemination of public criminal justice information
43 44-5-302, MCA Dissemination of criminal history record information that is not public
44 criminal justice information
45 44-5-303, MCA Dissemination of confidential criminal justice information
46 ARM 10.57.113 Substitute Teachers
47 Public Law 105-251, Volunteers for Children Act

48
49 Policy History:

50 Adopted on: April 11th, 2007

51 Revised on: December 9, 2009