

2  
3 **PERSONNEL**

4  
5 Fingerprints and Criminal Background Investigations

6  
7 It is the policy of the Board that any finalist recommended for hire to a paid or volunteer position  
8 with the District involving regular unsupervised access to students in schools, as determined by  
9 the Superintendent, shall submit to a name-based and fingerprint criminal background  
10 investigation [national fingerprint-based criminal history record check] conducted by the  
11 appropriate law enforcement agency prior to consideration of the recommendation for  
12 employment or appointment by the Board.

13  
14 Any requirement of an applicant to submit to a fingerprint background check shall be in  
15 compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If  
16 an applicant has any prior record of arrest or conviction by any local, state, or federal law  
17 enforcement agency for an offense other than a minor traffic violation, the facts must be  
18 reviewed by the Superintendent, who shall decide whether the applicant shall be declared eligible  
19 for appointment or employment in a manner consistent with the expectations and standards set  
20 by the board. Arrests resolved without conviction shall not be considered in the hiring process  
21 unless the charges are pending.

22  
23 The following applicants for employment, as a condition for employment, will be required, as a  
24 condition of any offer of employment, to authorize, in writing, a name-based and fingerprint  
25 criminal background investigation:

- 26  
27 • A certified teacher seeking full- or part-time employment with the District;  
28 • An educational support personnel employee seeking full- or part-time employment with  
29 the District;  
30 • An employee of a person or firm holding a contract with the District, if the employee is  
31 assigned to the District;  
32 • A volunteer assigned to work in the District, who has regular unsupervised access to  
33 students; and  
34 • Substitute teachers.\*

35  
36  
37  
38 *\*The requirement to fingerprint non-licensed substitutes may be waived in whole or in part by*  
39 *the trustees, if the substitute has previous teaching or substitute teaching experience in an*  
40 *accredited public school in Montana prior to November 28, 2002 and who has continued to*  
41 *substitute yearly thereafter.*

