

**Criminal Background Investigations**

It is the policy of the Board that all employees hired who care for or supervise students; or have access to students in schools will submit to a background investigation conducted by the appropriate law enforcement agency. The Board is charged with the responsibility for carrying out the intent of this policy. Since all Montana licensed educators are required to have a background check as a condition of receiving their licenses, this policy does not require a further background check of those professionals.

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

- \* an educational support personnel employee seeking full-time employment within the district;
- \* an educational support personnel employee seeking concurrent part-time employment positions with one or more school districts;
- \* an employee of a person or firm holding a contract with more than one school district and the employee is assigned to more than one school district;
- \* a volunteer assigned within the district who has access to students.

An applicant must be of good character. If he/she 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 Board must be notified of the arrest or conviction, and the Board and his/her supervisors will review the facts and decide whether the applicant shall be declared eligible for appointment.

A record of conviction resulting from the background check will be held as confidential and shared only with the Board, the County Superintendent, the Superintendent of Public Instruction, the State Board of Public Education, or any other person necessary to the hiring decision.

A copy of the record of convictions obtained from the Department of Justice will be provided to the applicant.

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| Legal Reference: | § 10-57-201, MCA | 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       |

Policy History:  
Adopted on: 2008-09  
Revised on: 01/28/19