

## Thompson Falls School District

### PERSONNEL

5122

#### Criminal Background Investigations

Board policy requires that any finalist recommended to be employed in a paid or volunteer position with the District, involving unsupervised access to students in schools, as determined by the Superintendent, shall submit to a criminal background investigation conducted by the appropriate law enforcement agency. Any offer of employment or appointment will be contingent on results of the criminal background check. In the event that the background check cannot be obtained in a timely fashion, an individual may be recommended for hire or appointment contingent upon positive results of a background check and allowed to work with students through an arrangement which provides for temporary supervision of the employee or volunteer on an as-needed basis.

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

- A certified teacher seeking full- or part-time employment with the District;
- An educational support personnel employee seeking full- or part-time employment with the District;
- An employee of a person or firm holding a contract with the District, if the employee is assigned to the District;
- A volunteer assigned to work in the District, who has unsupervised access to students; and
- Non-licensed substitute teachers.

Any requirement of an applicant to submit to a fingerprint background check will be in compliance with the Volunteers for Children Act of 1998 and applicable 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, who will decide whether the applicant will be declared eligible for appointment or employment. Arrests resolved without conviction will not be considered in the hiring process, unless the charges are pending.

Cross Reference:	Board Policy 3655	Student Protection
Legal Reference:	§ 20-3-323, MCA § 44-5-301, MCA § 44-5-302, MCA	District policy and record of acts Dissemination of public criminal justice Dissemination of criminal history record information that is not public criminal justice information

§ 44-5-303, MCA    Dissemination of confidential criminal  
justice information  
ARM 10.57.113    Substitute Teachers  
Public Law 105-251    Volunteers for Children Act

Policy History:

Adopted on: 2-1-2021

Reviewed on: 1-11-2021

Revised on: 8-11-2025