

Criminal Background Investigations

Board policy requires that any finalist recommended to be employed in a paid or volunteer position with the District, involving unsupervised contact with 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 contact with 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.

For purposes of this policy, “unsupervised contact” means where one or more students are left unattended and alone in the present of an adult where there is any direct, personal interaction involving communication or engagement of any kind between that adult and student. It does not include engagement or communication that occurs during a momentary absence of another adult or in a public environment.

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| Legal Reference: | § 20-3-323, MCA    | District policy and record of acts                                                                   |
|                  | § 44-5-301, MCA    | Dissemination of public criminal justice                                                             |
|                  | § 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                                           |
|                  | ARM 10.40.101      | Definitions                                                                                          |
|                  | ARM 10.40.102      | Requirement for Student Protection Policy                                                            |
|                  | 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, 8-10-2026