

SECURITY CHECK/FINGERPRINTING

Each applicant for a position within the public school system shall be asked whether he/she has ever been convicted of a felony and whether there are any criminal charges pending against him/her at the time of application. This includes personnel considered for extra-curricular coaching positions. All applicants being considered for hire by the school system shall be required to submit to state and national criminal record checks. In order to process such record checks, the following procedures will be followed:

1. No later than ten calendar days after the School Board or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the School Board or his/her designee will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the regional service center. This packet shall also contain all documents and materials necessary for the regional service center to submit the completed fingerprints to the Bureau of Criminal Investigation for the processing of state and national criminal record checks.
2. No later than ten calendar days after the School Board or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
3. The school district will pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.
4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the School Board or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check.
5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
6. Adult education teachers and substitute teachers, if they are continuously employed by the district, do not have to be re-fingerprinted after fulfilling the initial requirement.

Legal Ref: P.L. 103-209 National Child Protection Act of 1993, as amended
NDCC 34-02-18 Immunity for providing employment reference
DAB - Recruitment

POLYCY ADOPTED: 27 Nov 06
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