

Browning Public Schools

Policy #5120P

Policy Name: *Fingerprint Background Handling Procedure*

Regulation: -----

Federal Background Check Fingerprint and Information Handling Procedure

1. Who needs to be fingerprinted: All individuals 18 years of age or older to be volunteers or recommended for hire by the School District need to be fingerprinted under the National Child Protection Act and Volunteers for Children's Act (NCPA/VCA).
2. The School District will obtain a signed waiver from all applicants and provide written communication of Applicant Rights and Consent to Fingerprint Form at 5122F. Applicants shall also be provided the Applicant Privacy statement at 5120F. The Applicant Rights and Consent to Fingerprint Form will be kept on file for 5 years or for the length of employment, whichever is longer. The form will be filed in the employees Personnel File.

Basis to Collect and Submit Fingerprints for Purposes of Federal Background Check – Boards will Select One Option

OPTION 1: Ink fingerprints are captured in house by agency personnel that have completed and passed the certification course provided by CRISS. All applicants must provide a current government issued photo identification at the time of fingerprinting for identification verification. Two ink fingerprint cards are captured for each applicant and all data fields are completed and checked for accuracy. Complete fingerprint cards are then mailed to DOJ/CRISS along with payment.

OR

OPTION 2: Livescan fingerprints are captured in house by agency personnel that have completed and passed the certification course provided by CRISS. All applicants must provide a current government issued photo identification at the time of fingerprinting for identification verification. Fingerprints are then submitted to CRISS via the Livescan.

OR

OPTION 3: Fingerprints are obtained via local law enforcement agencies: _____.

A spreadsheet of those fingerprinted is kept by the School District to identify the individual, position being hired for, date of fingerprint, date print received and date print billed.

The School District staff that have received training by CRISS will process the fingerprints and send them to the DOJ.

LASO

(First and last name) has been appointed as the Local Agency Security Officer and acts as the primary point of contact between the School District and CRISS. (Name of LASO) is responsible for ensuring CJIS Policy compliance by all authorized recipients within the School District LASO is also responsible of any Privacy and Security Agreements with those who do not use CHRI on a regular basis. Any change in appointment of the LASO or other authorized personnel will be reported to CRISS immediately.

Access of CHRI

1 All background results are received by (first and last name) through the State File Transfer Service.
2 Results are printed and stored in a locked filing cabinet in the business office until a determination for
3 employment is made. Only authorized personnel that have undergone Privacy and Security Information
4 have access to printed criminal history record information. Authorized recipients of CHRI include

5
6 Superintendent (name), Principal (name), and the Business manager (name).
7

8 Printed background checks are reviewed by the Business Manager (name) and a determination form is
9 completed. If any adverse results are present on the background check, it is given to the Superintendent,
10 and Principal for final determination of eligibility. (Entity Name) utilizes a determination form and the
11 CHRI is then shredded.
12

13 **Determination Procedures**

14 Personnel staff that have been trained by CRISS and granted access to criminal history record information
15 will receive the background results through their Montana State File Transfer account.

- 16 a. Results are reviewed for determination of eligibility to hire.
 - 17 b. Any adverse reports are presented to the appropriate administrator for final approval.
 - 18 c. Determination is noted on a determination form and kept in a locked file cabinet.
- 19

20 **Retention and Storage Procedure** (Note: If the School District seeks to store electronically you must 21 contact DOJ's IT department.)

22 All criminal history record information is stored in a locked filing cabinet within the business office. Only
23 authorized personnel, Superintendent, Principal, and the Business Manager as noted in this policy have
24 access to this information. Only authorized personnel are present during the determination process when
25 the criminal record is being reviewed. Boards will Select One Option:
26

27 **OPTION 1:** Printed background checks are stored until a final determination for employment has been
28 made, two weeks or less. A determination form is then completed and CHRI is then destroyed in
29 accordance with the Destruction Procedure outlined in this document.
30

31 OR

32
33 **OPTION 2:** Printed CHRI is kept (SPECIFIC TIME FRAME) and then destroyed Destruction Procedure
34 outlined in this document.
35

36 Dissemination Logs are maintained for a period of 3 years from the date of dissemination or between
37 audits, and the Applicant Rights and Consent to Fingerprint form is maintained for at least five years or
38 the length of employment, whichever is longer.
39

40 **Dissemination Procedure** Boards will Select One Option:

41 **OPTION 1:** Applicants wishing to obtain a copy of their background report may make a request to the
42 LASO. A current government photo identification must be presented at the time of the request. A copy of
43 the background report is made and marked as a "copy" and provided to the applicant. The dissemination
44 is then logged. Dissemination logs include, what record was shared, the date it was shared, the method of
45 sharing, and the agency personnel that shared the record. The dissemination log is stored in a locked filing
46 cabinet for at least 3 years or between audits, whichever is longer.
47

48 OR

49
50 **OPTION 2:** The School District does not disseminate criminal history record information with any other
51 agency. A copy of our determination form can be provided to outside agencies upon request.

Destruction Procedure **Boards will Select One Option:**

OPTION 1: At the end of the retention and storage period outlined in this document, all CHRI and related information is shredded in house by (authorized personnel name).

OR

OPTION 2: At the end of the retention and storage period outlined in this document, all CHRI and related information is shredded on site by a company that come to our location. Authorized personnel witness the shredding of the CHRI.

Applicant procedures for challenging or correcting their record **Boards will Select One Option:**

All applicants are given the opportunity to challenge or complete their record before a final determination is made.

OPTION 1: Applicants wishing to challenge their record are given a copy of the background report.

OR

OPTION 2: Applicants wishing to challenge their record are advised how to obtain a copy of their background report.

The applicant is then given 10 days to contact the state or agency in which the record was created to make corrections. After the allotted time, the applicant must then provide the School District with a copy of the corrected background report provided by and notarized by the State Identification Bureau. The fee associated for a copy of the state record provided by the State Identification Bureau will be the responsibility of the applicant.

Policy and procedures for misuse of CHRI

The School District does not allow dissemination of CHRI to persons or agencies that are not directly involved in the hiring and determination process. If CHRI is disseminated outside of the authorized receiving department, (agency LASO) will report this to CRISS immediately and provide CRISS with an incident response form. The incident response form will include the nature of the incident, any internal reprimands that may have resulted from the incident, as well as our agencies plan to ensure that this incident does not get repeated.

Training Procedure

- Local Agency Security Officer (LASO)
 - Signed user agreement between district and CRISS
- Privacy and Security Training
 - CRISS training on CHRI required to receive background reports

Policy History:

Adopted on:

Reviewed on: 4/13/21

Revised on: