

1 **Browning Public Schools**

2  
3 Policy #5120P

4 Policy Name: *Fingerprint Background Handling Procedure*

5 Regulation: -----

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7 **Federal Background Check Fingerprint and Information Handling Procedure**

- 8 1. Who needs to be fingerprinted: All individuals 18 years of age or older to be volunteers or
- 9 recommended for hire by the School District need to be fingerprinted under the National Child
- 10 Protection Act and Volunteers for Children’s Act (NCPA/VCA).
- 11
- 12 2. The School District will obtain a signed waiver from all applicants and provide written
- 13 communication of Applicant Rights and Consent to Fingerprint Form at 5122F. Applicants shall
- 14 also be provided the Applicant Privacy statement at 5120F. The Applicant Rights and Consent to
- 15 Fingerprint Form will be kept on file for 5 years or for the length of employment, which ever is
- 16 longer. The form will be filed in the employees Personnel File.
- 17

18 **Basis to Collect and Submit Fingerprints for Purposes of Federal Background Check – Boards will**

19 **Select One Option**

20 **OPTION 1:** Ink fingerprints are captured in house by agency personnel that have completed and passed

21 the certification course provided by CRISS. All applicants must provide a current government issued

22 photo identification at the time of fingerprinting for identification verification. Two ink fingerprint cards

23 are captured for each applicant and all data fields are completed and checked for accuracy. Complete

24 fingerprint cards are then mailed to DOJ/CRISS along with payment.

25  
26 OR

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28 **OPTION 2:** Licescan fingerprints are captured in house by agency personnel that have completed and

29 passed the certification course provided by CRISS. All applicants must provide a current government

30 issued photo identification at the time of fingerprinting for identification verification. Fingerprints are

31 then submitted to CRISS via the Livescan.

32  
33 OR

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35 **OPTION 3:** Fingerprints are obtained via local law enforcement agencies: \_\_\_\_\_.

36  
37 A spreadsheet of those fingerprinted is kept by the School District to identify the individual, position

38 being hired for, date of fingerprint, date print received and date print billed.

39  
40 The School District staff that have received training by CRISS will process the fingerprints and send them

41 to the DOJ.

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43 **LASO**

44 **(First and last name)** has been appointed as the Local Agency Security Officer and acts as the primary

45 point of contact between the School District and CRISS. **(Name of LASO)** is responsible for ensuring

46 CJIS Policy compliance by all authorized recipients within the School District LASO is also responsible

47 of any Privacy and Security Agreements with those who do not use CHRI on a regular basis. Any change

48 in appointment of the LASO or other authorized personnel will be reported to CRISS immediately.

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50 **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 **Determination Procedures**

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

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

### 18 **Retention and Storage Procedure** (Note: If the School District seeks to store electronically you must 19 **contact DOJ's IT department.)**

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

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

27 OR

28 **OPTION 2:** Printed CHRI is kept (**SPECIFIC TIME FRAME**) and then destroyed Destruction Procedure  
29 outlined in this document.

30  
31 Dissemination Logs are maintained for a period of 3 years from the date of dissemination or between  
32 audits, and the Applicant Rights and Consent to Fingerprint form is maintained for at least five years or  
33 the length of employment, whichever is longer.

### 34 **Dissemination Procedure** **Boards will Select One Option:**

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

41 OR

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

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

3 **OPTION 1:** At the end of the retention and storage period outlined in this document, all CHRI and related  
4 information is shredded in house by (authorized personnel name).  
5

6 OR  
7

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

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

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

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16 **OPTION 1:** Applicants wishing to challenge their record are given a copy of the background report.  
17

18 OR  
19

20 **OPTION 2:** Applicants wishing to challenge their record are advised how to obtain a copy of their  
21 background report.  
22

23 The applicant is then given 10 days to contact the state or agency in which the record was created to make  
24 corrections. After the allotted time, the applicant must then provide the School District with a copy of the  
25 corrected background report provided by and notarized by the State Identification Bureau. The fee  
26 associated for a copy of the state record provided by the State Identification Bureau will be the  
27 responsibility of the applicant.  
28

29 **Policy and procedures for misuse of CHRI**

30 The School District does not allow dissemination of CHRI to persons or agencies that are not directly  
31 involved in the hiring and determination process. If CHRI is disseminated outside of the authorized  
32 receiving department, (agency LASO) will report this to CRISS immediately and provide CRISS with an  
33 incident response form. The incident response form will include the nature of the incident, any internal  
34 reprimands that may have resulted from the incident, as well as our agencies plan to ensure that this  
35 incident does not get repeated.  
36

37 **Training Procedure**

- 38 • Local Agency Security Officer (LASO)
    - 39 ○ Signed user agreement between district and CRISS
  - 40 • Privacy and Security Training
    - 41 ○ CRISS training on CHRI required to receive background reports
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44 **Policy History:**

45 Adopted on:

46 Reviewed on: 4/13/21

47 Revised on: