

EMPLOYEE CRIMINAL BACKGROUND CHECK

The Cooperative is committed to the selection of quality staff and to providing a safe environment for students and staff. As part of that commitment, the Cooperative will conduct fingerprint-based background checks on all new Cooperative employees pursuant to this policy and in accordance with state law.

The Cooperative will abide by and comply with the Noncriminal Justice Agency User Agreement for Release of Criminal History Record Information entered into between the Cooperative and the South Dakota Division of Criminal Investigation (DCI). The Agreement outlines rules regarding the receipt, use and dissemination of fingerprint-based criminal history records of the FBI and DCI by the Cooperative.

Individuals submitting fingerprints for a background check will be advised of their privacy rights and right to challenge the accuracy of the information contained in the record.

Any offer of employment is contingent upon the satisfactory outcome of the criminal background check. The Cooperative has the sole discretion to determine whether the outcome of a criminal background check is satisfactory. In making a determination, the Cooperative:

1. Shall adhere to all applicable state and federal laws that disqualify an individual from employment by a school district; and
2. May consider any criminal conviction, including convictions not disclosed by an applicant; and
3. In the case of employees hired in positions where they will transport students, may consider driving record.

In addition, certain employees who are assigned to work within state and federally licensed facilities may be subject to further background checks, including an examination of reports of allegations of child neglect or abuse. The Cooperative may disqualify any candidate who does not pass such facility-required investigations.

An individual may be granted conditional employment pending the receipt of the results of a background check. In the event that an employee granted conditional employment is determined to have an unsatisfactory background check the Cooperative will follow existing policy regarding suspension and termination of employment in determining the level of procedural due process required.

Policy adopted:	July 19, 2000
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