

General Policy - Criminal History Record Checks – Job Applicants/Employees

Policy:

Effective March 19, 2008, criminal history records checks are authorized and/or required before a person may begin employment with Bismarck State College as outlined below.

Procedures:

1. As stated in SBHE Policy 602.3, a nationwide FBI criminal history background check is required before beginning employment in the following positions:
 - a. Police officer; and
 - b. Security Guard

2. A criminal history records check, which may be a North Dakota BCI check, a FBI nationwide check or check of another state or multiple jurisdictions, is required before beginning employment in the following positions (whether full-time or part-time):
 - a. President and vice presidents;
 - b. Resident hall and apartment manager or director and assistants;
 - c. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities;
 - d. Child care employees and other employees who have unsupervised contact with children;
 - e. Employees responsible for or with access to controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances;
 - f. Counselors and coaches;
 - g. Faculty;
 - h. Employees who process credit cards, take credit card numbers, or have access to sensitive credit card information; and
 - i. Other positions as deemed necessary due to their access to money and/or sensitive information (e.g., finances, HR/payroll, student records, information services) or by the supervisor.

3. A criminal history record check may be done on present employees as deemed necessary by the guidelines above.

Authorization:

1. The supervisor (in consultation with the Chief Human Resources Officer and appropriate administrators) will determine the nature and scope of the criminal history background check.

2. A Criminal History Record Check Request Form (attached) must be completed by the job applicant or employee and submitted to Human Resources before the check is conducted.

Guidelines for Reviewing Criminal History Reports:

1. Convictions are not an absolute bar to employment but will be considered in relationship to the job requirements.
 - a. The supervisor (in consultation with the Chief Human Resources Officer and appropriate administrators) will consider the following when reviewing a criminal history report:
 - The nature, severity and frequency of the offense or offenses;
 - When the offense or offenses happened and;
 - Whether a criminal conviction has a direct bearing on the individual's ability to fulfill job duties and responsibilities.
 - b. An employment offer may be withdrawn or an employee may be terminated as a result of the above considerations.
2. Deliberate failure to disclose criminal conviction information on their Bismarck State College application form or Criminal History Record Check Request Form, may constitute cause for rejection of the applicant's application or termination of employment.

Reference:

SBHE Policy: 602.3 Job Applicant and Employee Criminal History Background Checks:
<http://www.ndus.edu/policies/sbhe-policies/policy.asp?ref=2537>

NDUS Procedure: 602.3 Job Applicant/Employee Criminal History Background Checks:
<http://www.ndus.edu/policies/ndus-policies/subpolicy.asp?ref=2603>

N.D.C.C sec. 12-60-24

History of This Policy:

First policy draft January 23, 2009. Amended and approved by the Operations Council on January 28, 2009 and by the Executive Council on February 27, 2009.



Criminal History Record Check Request

For Bismarck State College

For BCI Use Only
Check #
Amount
Receipt #
SID #
Date Mailed

General Instructions:

- NDUS officials requesting state and/or federal criminal history record checks related to NDCC §12-60-24 must complete this form, attach 2 completed fingerprint cards (if requesting federal check) containing the fingerprints of the subject of the record check, and remit appropriate fees. Incomplete or illegible requests will be returned. Checks should be made payable to the **North Dakota Attorney General if using BCI for the record check.**
- Please send the form, fingerprint cards (if needed), and fees to:

Criminal Records Section
 North Dakota Bureau of Criminal Investigation
 4205 State Street
 PO Box 1054
 Bismarck ND 58502-1054
 (701) 328-5500

To Be Completed by NDUS Institution		
Name of College/University Bismarck State College	Name of Contact Aimee Schmit	
Title of Contact HR Assistant	Telephone Number 701-224-5531	E-mail Address aimee.schmit@bsc.nodak.edu
Mailing Address PO Box 5587		
City Bismarck	State ND	Zip 58506-5587

Record Check for (to be completed by institution)	Type of Record Check (to be completed by institution)
<input type="checkbox"/> Job Applicant <input type="checkbox"/> Employee <input type="checkbox"/> Student (please check one)	Bureau of Criminal Investigation (BCI): <input type="checkbox"/> ND only, remit \$15.00 <input type="checkbox"/> Federal only, remit \$32.25 + 2 fingerprint cards <input type="checkbox"/> ND and Federal, remit \$47.25 + 2 fingerprint cards Other: <input type="checkbox"/> Criminal Background Check Organization, _____ (list type of check) (please check one and remit appropriate fees and fingerprint cards if applicable)

To Be Completed by Subject of Record Check		
Last Name	First Name	Middle Name
Other Name(s) Used (Maiden, Former, AKA, Nickname, Etc.)		
Date of Birth	Social Security Number	
Current Address		
City	State	Zip

Have you ever been arrested for or convicted of a crime? YES NO
 If yes, what offense(s) and what was the outcome of the case(s): (dismissed, deferred sentence, acquittal, conviction, etc)

I hereby authorize the North Dakota Bureau of Criminal Investigation (CI) or any other official CI Organization to release my state and national criminal history records to the above party.

I have been advised that I have a right to review and challenge the accuracy and completeness of the information obtained through this process.

A photocopy of this signed release shall have the same force and effect as the original release.

Subject's Signature	Date
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