

## Policy and Procedures for Criminal History Record Information (CHRI)

N.D.C.C 12-60-24 Provides authority to complete criminal history back ground check for public employees.

P.L. 92-544- Federal law that allows/requires states to create laws (NDCC 12-6-24) allowing non-criminal justice agencies to request and view criminal records from the FBI.

**Purpose:** This policy is intended to provide Montpelier School and all authorized personnel with a basic understanding of their responsibilities to protect and safeguard the confidential information to which they have be granted the authorization to have access to.

**Access:** The superintendent of the school shall be authorized to receive, evaluate and discuss CHRI information with a potential employee. The Authorized Personnel List will be filed with the North Dakota Bureau of Criminal Investigation (NDBCI) and updates provided when personnel changes.

**Handling:** When the results of the criminal history check are received from NDBCI the superintendent will review it for any information or concerns. If none, the results will be logged in the application as “clear” and placed in a file locked in a drawer accessible only by the superintendent. CHRI documents will never be left unattended when not locked in the drawer.

CHRI records are maintained for three years at which time they are destroyed. The CHRI record is taken by the superintendent who personally takes them to the paper shredder and inserts them into the shredder. He/she observes that the records have been completely destroyed by the shredder.

CHRI is not public record and will not be released to any unauthorized persons.

**Training:** Authorized personnel will have accounts on Criminal Justice Information Services (CJIS) online for the purpose of training. Once authorized personnel have completed the training and received the certificate copies will be placed in the CHRI file. Authorized personnel will receive notices via email when the next training is due. When an authorized person leaves that account will be immediately deleted. Authorized users will be trained every two years and the training documented in the training log. (Appendix C)

**Abuse or Misuse of CHRI:** Examples of suspected abuse include, but are not limited to, using CHRI for any purpose other than intended and authorized or sharing CHRI with unauthorized personnel. In the event shredding and/or burning materials isn’t feasible, failing to sanitize any media or failure to overwrite media can be suspected misuse. All authorized users must agree and sign the Acknowledgement Statement of Misuse. (Appendix A)

Suspected misuse will be investigated and reported and could result in an authorized person being removed from the Authorized Personnel list and any access to CHRI. Suspected unauthorized use or misuse of CHRI could result in the termination of employment. This is recorded and reported on the Security Incidence Response Form. (Appendix B)