

Approved on 12/18/2020

Administrative Council Meeting Minutes

Thursday, December 3, 2020

Teams 8:00 a.m.

(Highlight in blue assignments that need to be completed)

VOTING MEMBERS PRESENT

Dr. Doug Darling- President

Lloyd Halvorson- Vice President for Academic/Student Affairs

Corry Kenner- Vice President for Administrative Affairs

NON-VOTING MEMBERS PRESENT

Richard Drury-Faculty Senate Representative

Bobbi Lunday- Recorder

Guests

1) CALL TO ORDER/REVIEW MINUTES

a) Call to Order

i) The meeting was called to order at 8:02 a.m.

b) Review of November 17, 2020 Minutes

i) The minutes of the previous meeting were reviewed and approved.

2) OLD BUSINESS

a) Ag Center Building/Fundraiser Update (President)

i) Building construction is proceeding as scheduled.

b) COVID 19 Isolation and Quarantine Report (Academic/Student Affairs)

i) In VP Halvorson's opinion these numbers are going to be almost non-existent. He explained that they are shortening the quarantine and isolation time to 10 days but if a negative COVID test after 7 days is produced, they can get out of quarantine early. Which concerns him as some of our isolated students are testing positive after 13 days of quarantine.

c) Library Director Open Position

i) Council will continue to monitor. VP Halvorson discussed merging TRiO and PowerSkills into a student success environment in the Learning Commons area. Due to time constraints the discussion was tabled.

d) Spring POTP: Moving from Minot to DL (Academic/Student Affairs)

i) VP Halvorson reported the Minot Rifle and Pistol Club has no issue letting us out of our contract. We plan to run Minot POTP on DL campus in a 14-week format, so he requested a pro-rated housing and meal-plan. Upon council's approval, VP Halvorson will work with other Financial aid and housing to proceed. Approved.

e) S/U Grading Option for Fall Semester 2020 (Academic/Student Affairs)

i) The Lake Region State College Faculty Senate, Chief Academic Officer, and Registrar have agreed to allow students to choose an S/U grade option for fall semester 2020. Students who would like to receive a Satisfactory/Unsatisfactory (S/U) grade in lieu of a letter grade may do so by contacting their instructor, no later than Friday, December 18, 2020, and request the grading basis be converted to S/U.

ii) In the S/U environment, letter grades convert as follows: A, B, C, and D converts to S, while an F, FN, and FNN converts to U. Neither S nor U count in grade point average. The S/U grading basis is not available to students in the Peace Officer Training Program or who are enrolled in the Dakota Nursing Program at Lake Region State College.

iii) Prior to making the request to exercise this option, students should consult with their advisor so they understand how this might affect transferability to a college outside the ND University System, how it may affect satisfying a pre-requisite, how an S/U grade for a required course could affect entry into certain programs or graduate school, and/or how an S/U grade might impact program completion requirements.

iv) Upon request of the student, the instructor will notify the Chief Academic Officer who will inform the Registrar of the student's decision to exercise this option. The Registrar will make the change in grading basis. Unless the course syllabi included provisions for S/U grading at the outset, the faculty member will

not be able to use the S/U grading basis without following this process and involving the Chief Academic Officer and Registrar.

3) NEW BUSINESS

a) **Enrollment Report** (Administrative Affairs and Director Shark)

- i) **Attached below-3 pages.** In VP Kenner's analysis, based on the attached report, we are looking at a 32% drop in credits for Spring compared to the same time last year. This has the potential to roughly translate into almost a \$300,000 difference (assuming the drop in Non-Degree credits are Subsidized Dual Credit credits).
- ii) Director Shark explained that they expected lower numbers, but we are down -32% lower than expected. He explained from the standpoint of new students, there is a registration day next Thursday with currently 7-8 students signed up. We have sent emails and text messages to students and plan to do some calling to get more attendance. We still have 5 weeks until start of semester and will continue that process. Another focus of the department is ensuring our current students' success. One key thing Dr Ruch has been doing is keeping advisors informed of issues and encouraging them to connect with students. [We will be printing enrollment reports and begin reaching out to encourage students to continue their education.](#)

b) **Policy Change 800.07 Student Criminal History Background Checks** (Administrative Affairs)

- i) **Attached below-2 pages.** Some notable changes to policy are that ASL is off the list of programs requiring background checks. Both POTP and Nursing student must have FBI criminal history background checks the difference for nursing is if something is uncovered, we then have them fingerprinted while all POTP need the background and fingerprints up front. Policy approved.

c) **Policy Change 1100.06 Background Investigations** (Administrative Affairs)

- i) **Attached below-8 pages.** Some terminology changes. Every 24 months volunteers working with minors must have a background check is the biggest change bringing it in line with board policy and audit recommendations. Approved.

d) **IT Discussion** (Academic/Student Affairs)

- i) If there is enough funding from the Cares Act Grant remaining at end of year IT would like to use it for another Tri-caster that can be integrated with TEAMS software so LRSC can have a multi-camera system and wireless microphones to make our virtual meetings better. It is a \$25,000 expenditure. The previously expected expenditure we expected for the backup tape problem turned out to be an issue with the tape and not the equipment, so it is not necessary to move to a Cloud based system. Director Haugland would like to explore options other than the Cloud based system as it will make VPN and using phone system from home more difficult.

e) **Highlight the Work of Higher Education in ND** (President) (Academic/Student Affairs) (Administrative Affairs)

- i) Chancellor Hagerott has had an information request from the Governor's Office for the Governor's State of the State address early January. They are providing an opportunity for the NDUS and all campuses to provide suggestions on what could be included to highlight the work of higher education in the state. They want to ensure that our successes get well-deserved recognition. [President Darling asked council to provide some of the innovative things that have taken place on the campus and success stories by Friday, Dec. 11 so they can be shared with the governor.](#)

f) **Donated Leave** (President)

- i) We have received a request for donated leave from Financial Aid Administrative Assistant Doreen Hoffman. Council discussed and decided to allow her to accept up to 240 hrs. of leave donations with no more than 80 hrs. coming from annual leave donations. Council will reassess her situation before the end of January 2021.

4) ADJOURNMENT

a) **Adjournment**

- i) The meeting was adjourned at 8:53 a.m.

b) **Upcoming Scheduled Council Meetings**

- i) The next meetings of the Administrative Council will be Th-Dec 18@2p

Applications as of 2130 11.27.2020

Applications as 2030 as of Nov. 27, 2019								
Descr	COL	CON	ERE	FYR	NON	RDM	TRN	Grand Total
Associate Degree Nurse							6	6
Automotive Technology				2		1		3
Business Administration		1		2		3	3	9
Early Childhood Associate				1		2	1	4
Fitness Trainer Technician								0
Information Technologies		1					2	3
Law Enforcement				3		1	5	9
Liberal Arts		2		4		10	7	23
Marketing				1				1
Non-Degree	136		52	1	36		1	226
Peace Officer		1		7	2		8	18
Practical Nursing		1		4		1	16	22
Precision Agriculture								0
Simulation Technology						1	1	2
Speech Lang Pathology Paraprof							1	1
Wind Energy Technician								0
Grand Total	136	6	52	25	38	19	51	327

COL= Collaborative
 CON= Continuing
 DC= Dual Credit
 ERE= Early Entry
 FYR= First Year Freshman
 NON= Non-Degree
 RDM= Re-Admit
 TRN= Transfer

Applications as 2130 as of Nov. 27, 2020									
Descr	COL	CON	ERE	FYR	NON	RDM	TRN	Grand Total	Change
Associate Degree Nurse						1	3	4	-2
Automotive Technology				1		1		2	-1
Business Administration				2			3	5	-4
Early Childhood Associate				2		1	1	4	0
Fitness Trainer Technician				2				2	2
Information Technologies				4				4	1
Law Enforcement				5		1	1	7	-2
Liberal Arts		1		5		5	8	19	-4
Marketing				1				1	0
Non-Degree	90		42		38		1	171	-55
Peace Officer				6	1	2	6	15	-3
Practical Nursing		1		4		6	13	24	2
Precision Agriculture							1	1	1
Simulation Technology									-2
Speech Lang Pathology Paraprof									-1
Wind Energy Technician				1			1	2	2
Grand Total	90	2	42	33	39	17	38	261	-66
Change	-46	-4	-10	8	1	-2	-13		

Appl Ctr	2019	2020	Change
GFAB	25	15	-10
UGRD	302	246	-56
Grand Total	327	261	-66

Applications

This report compares the number of applications we have for the current term to the number of applications we had one year ago to date. The report is unduplicated.

Students Enrolled 2130 as of 11.27.2020

Program	Data	FT		TT		HT		LT		Grand Total	Grand Total	Change	
		Fr	So	Fr	So	Fr	So	Fr	So	11.27.20	11.27.19		
Amer Sign Lang & Interpret Std	Count of ID		1	1		2	2			3	1	2	
	Sum of Credits		12	12		22	22			34	15	19	
Associate Degree Nurse	Count of ID		15	15		5	5	1	1	1	23	-1	
	Sum of Credits		195	195		55	55	6	6	258	251	7	
Automotive Technology	Count of ID	1		1						1	2	-1	
	Sum of Credits	20		20						20	50	-30	
Business Administration	Count of ID	11	14	25		1	1	2		29	36	-7	
	Sum of Credits	188	211	399		11	11	13		426	500	-74	
Early Childhood Associate	Count of ID	3	2	5				1	1	1	8	15	-7
	Sum of Credits	46	26	72				8	8	35	88	153	-65
Fitness Trainer Technician	Count of ID	3	3	6				2	2		8	9	-1
	Sum of Credits	52	57	109				14	14		123	147	-24
Information Technologies	Count of ID	3	3	6						1	8	-1	
	Sum of Credits	46	49	95						3	123	-25	
Law Enforcement	Count of ID	6	1	7		1	1			1	9	0	
	Sum of Credits	94	12	106		10	10			3	119	118	1
Liberal Arts	Count of ID	38	35	73	5	4	9		2	2	88	147	-59
	Sum of Credits	574	542	1116	46	40	86		13	13	1228	2048	-820
Marketing	Count of ID	1		1							1	4	-3
	Sum of Credits	15		15							15	49	-34
Non-Degree	Count of ID	4	1	5	20	1	21	72		72	159	263	-266
	Sum of Credits	56	12	68	191	10	201	472		472	557	1319	-1002
Practical Nursing	Count of ID	8	13	21	1	12	13	2	11	13	49	60	-11
	Sum of Credits	125	183	308	10	121	131	15	75	90	538	710	-172
Precision Agriculture	Count of ID	13	7	20	1		1				21	28	-7
	Sum of Credits	227	114	341	9		9				350	445	-95
Simulation Technology	Count of ID		7	7		1	1				8	13	-5
	Sum of Credits		91	91		10	10				101	144	-43
Speech Lang Pathology Paraprof	Count of ID		2	2		1	1		1	1	4	4	0
	Sum of Credits		29	29		9	9		6	6	44	33	11
Wind Energy Technician	Count of ID	6	1	7							7	4	3
	Sum of Credits	87	15	102							102	52	50
Total Count of ID		97	105	202	27	28	55	76	18	94	162	177	-364
Total Sum of Credits		1530	1548	3078	256	288	544	500	122	622	566	619	-2296

Students Enrolled

This report compares the number of students enrolled and how many credits they are enrolled in in the current term to the number of students enrolled and how many credits they were enrolled in one year ago to date. The report is unduplicated.

Students Enrolled by Location as of 11.27.2020

Students Enrolled by Location Spring 2030 as of 11.27.19										
Program	Data	DLAKE	GFAB	HS-SUB	HS-UNSUB	IVN	NURS OFF	ONLINE	UNDL	Grand Total
Amer Sign Lang & Interpret Std	Count of ID					1		1		2
	Sum of Credits					6		9		15
Associate Degree Nurse	Count of ID	5				15	15	8		43
	Sum of Credits	60				68	86	49		263
Automotive Technology	Count of ID	4								4
	Sum of Credits	50								50
Business Administration	Count of ID	27	3			9		37		76
	Sum of Credits	288	16			27		163		494
Early Childhood Associate	Count of ID	12	2					12		26
	Sum of Credits	93	11					49		153
Fitness Trainer Technician	Count of ID	7						9		16
	Sum of Credits	84						63		147
Information Technologies	Count of ID	16				2		4		22
	Sum of Credits	102				6		15		123
Law Enforcement	Count of ID	5	2					4		11
	Sum of Credits	69	13					36		118
Liberal Arts	Count of ID	127	12			12		108	14	273
	Sum of Credits	1256	48			40		524	171	2039
Marketing	Count of ID	7						6		13
	Sum of Credits	33						16		49
Non-Degree	Count of ID	2	116	20	77	1		389		605
	Sum of Credits	12	389	81	265	4		1655		2306
Practical Nursing	Count of ID	34	6			19		73		132
	Sum of Credits	245	31			118		318		710
Precision Agriculture	Count of ID	28				2		15		45
	Sum of Credits	383				5		57		445
Simulation Technology	Count of ID	15						1		16
	Sum of Credits	141						3		144
Speech Lang Pathology Paraprof	Count of ID				1			5		6
	Sum of Credits				3			30		33
Wind Energy Technician	Count of ID	4								4
	Sum of Credits	52								52
Total Count of ID		293	141	20	78	61	15	672	14	1294
Total Sum of Credits		2868	508	81	268	274	86	2885	171	7141

Students Enrolled by Location Spring 2130 as of 11.27.20											
Program	Data	DLAKE	GFAB	HS-SUB	HS-UNSUB	IVN	NURS OFF	ONLINE	UNDL	Grand Total	Change
Amer Sign Lang & Interpret Std	Count of ID	3							3	6	4
	Sum of Credits	27							7	34	19
Associate Degree Nurse	Count of ID	13						10	5	28	-15
	Sum of Credits	149						94	15	258	-5
Automotive Technology	Count of ID	1								1	-3
	Sum of Credits	20								20	-30
Business Administration	Count of ID	24						7	34	65	-11
	Sum of Credits	263						21	142	426	-68
Early Childhood Associate	Count of ID	4							9	13	-13
	Sum of Credits	40							48	88	-65
Fitness Trainer Technician	Count of ID	6				2		10		18	2
	Sum of Credits	51				8		64		123	-24
Information Technologies	Count of ID	14				4		3		21	-1
	Sum of Credits	77				12		9		98	-25
Law Enforcement	Count of ID	7							13	20	9
	Sum of Credits	72						47		119	1
Liberal Arts	Count of ID	67	14					7	82	7	177
	Sum of Credits	687	66			32		371	72	1228	-81
Marketing	Count of ID	1								1	-12
	Sum of Credits	15								15	-34
Non-Degree	Count of ID	1	99	1	28	1		201		331	-274
	Sum of Credits	3	388	3	119	4		802		1319	-987
Practical Nursing	Count of ID	29	9			15		44		97	-35
	Sum of Credits	182	53			91		212		538	-172
Precision Agriculture	Count of ID	21						12		33	-12
	Sum of Credits	305						45		350	-95
Simulation Technology	Count of ID	15								15	-1
	Sum of Credits	101								101	-43
Speech Lang Pathology Paraprof	Count of ID							6		6	0
	Sum of Credits							44		44	11
Wind Energy Technician	Count of ID	7								7	3
	Sum of Credits	102								102	50
Total Count of ID		213	122	1	28	46		422	7	839	-455
Total Sum of Credits		2094	507	3	119	262		1806	72	4863	-2278
Total Count of ID		-80	-19	-19	-50	-15	-15	-250	-7		
Total Sum of Credits		-774	-1	-78	-149	-12	-86	-1079	-99		

Students Enrolled by Location

This report compares the students enrolled by location in the current term to the students enrolled by location one year ago to date.

This report is duplicated. For example, if a student is taking classes online and on-campus they would be counted in both areas.

Or if a student is taking a class during the regular session and one during the early 8-week session and one during the late 8-week session they will be counted in all three areas.



POLICY AND PROCEDURE MANUAL CHANGE REQUEST FORM

NAME OF POLICY, PROCEDURE OR FORM	CHAPTER NUMBER	ARTICLE NUMBER
STUDENT CRIMINAL HISTORY BACKGROUND CHECKS	800	07

REQUESTED ACTION: CHANGE ADD REMOVE

Text of Requested Change: (Continue on other side or attach a separate document.)
Policy change is needed to comply with SBHE Policy 511 and NDUS Procedure 511. This was also an audit finding previously. Audit finding states "Inadequate or contradictory institutional policies or procedures for student background checks (LRSC)". We currently do not have a policy to address student background checks.

HAS THIS CHANGE BEEN REVIEWED FOR CONSISTENCY WITH NDUS POLICY?	Reviewer Initials
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	sjl

NAME OF LRSC GROUP SUBMITTING CHANGE REQUEST	DATE
Student Affairs	11/30/20
SIGNATURE & TITLE OF SUBMITTER	DATE
Sandi Lillehaugen Digitally signed by Sandi Lillehaugen Date: 2020.11.30 22:09:23 -06'00'	11/30/20

ADMINISTRATIVE COUNCIL ACTION:

- | | |
|---|---|
| <input type="checkbox"/> REQUEST APPROVED | <input type="checkbox"/> REQUEST TABLED FOR FURTHER REVIEW
Date: _____ |
| <input type="checkbox"/> REQUEST NOT APPROVED | <input type="checkbox"/> REQUEST APPROVED WITH REVISIONS
Date: _____ |

LRSC PRESIDENT'S SIGNATURE	DATE

The official original copy of the Change Request will be filed in the President's Office and copies distributed to the:

- Faculty Senate President
- Staff Senate President

Final printed versions of the change will be distributed to the following for placement in paper manuals:

- Library Director
- Administrative Affairs
- Academic and Student Affairs
- CCF / Advancement

**Lake Region State College
Policy and Procedure Manual**

SECTION 800.07
STUDENT CRIMINAL HISTORY BACKGROUND CHECKS

In accordance with SBHE Policy and NDUS Procedures 511, Lake Region State College requires FBI checks or criminal history check be completed for specific programs.

The criminal history background check shall be completed before the student is formally admitted to the program or before they participate in a formal internship, practicum, field placement, or a clinical experience sponsored and arranged by the institution. Students who fail to provide evidence of a criminal history background check will not be allowed to participate in such activities as part of their program of study.

Criminal history background checks are required for students who have applied for admission to or are in enrolled in the following programs. This criminal history background check shall be conducted as a nationwide FBI check, North Dakota BCI Criminal History check, or by a LRSC approved vendor as indicated for each program.

1. Peace Officer Training Program – FBI check required
2. Nursing – Criminal History Background or FBI check

If a criminal history report received from the FBI, North Dakota BCI, or an approved vendor is used to make a determination of suitability of a student for admission to the institution or participation in any aspect of their program of study, the institution must:

1. Notify the student that has been fingerprinted (if applicable) that the fingerprints will be used to check the criminal history records of the FBI;
2. Provide the student the opportunity to complete or challenge the accuracy of the information contained in the record;
3. Advise the student of the procedures for obtaining a change, correction or updating of an identification record as set forth in state law.
4. Refrain from making an adverse decision with respect to the student based on information in the record until the student has been afforded a reasonable time to correct or complete the record; or has declined to do so.

FBI criminal history reports received from the FBI or BCI are confidential according to federal law and FBI regulations, and may not be disseminated outside of the institution, and may be disseminated within the institution only for the purpose requested. Other criminal history information relating to enrolled students is subject to provision of FERPA.

The results of student background checks are considered educational records under FERPA and will be handled by institution recordkeeping policies. Information will only be shared pursuant to those rules and on a need-to-know basis. Background check results must be secured and kept separate from other background check information. These results must be shredded pursuant to NDUS retention policies. The FBI audits how FBI check records are handled.

History
Administrative Council Approved

SECTION 1100.06
EMPLOYEE/VOLUNTEERS CRIMINAL HISTORY BACKGROUND INVESTIGATIONS

1. Lake Region State College is committed to providing a safe and secure environment for all students, faculty, staff, and visitors and to protecting its funds, property, and other assets. Well-informed hiring decisions contribute to this effort. To assist in this endeavor, Lake Region State College will conduct a background investigation on new hires for faculty, staff, students hired for positions, and volunteers as indicated in this policy.

a. New hires includes:

- i. Individuals never before employed by the institution.
- ii. Rehires, if the individual's break in service exceeds 12 months or unless the new position or newly assigned duties indicate that different checks or verifications are required.
- iii. Transfers from another NDUS institution.

~~1-iv.~~ Transfers and promotions within the same institution if an individual has never completed a criminal history records check or criminal history check and sex offender registry check.

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2. ~~The North Dakota State Board of Higher Education adopted SBHE Policy 602.3 requiring that each institution adopt a policy or procedure regarding checks on job applicants. The Chancellor adopted NDUS Procedure 602.3 authorizing positions for FBI checks. This policy and procedure has been adopted to implement SBHE Policy 602.3 and NDUS Procedure 602.3 for job applicants and current employees at Lake Region State College.~~

a. A nationwide FBI criminal history background-record check is required before the beginning of work for the following positions:

- i. Police Officer
- ii. Security Guard

~~iii.~~ College police dispatchers and call center operators

b. A criminal history ~~records check and sex offender registry check are, which may be a North Dakota BCI check, an FBI nationwide check, or a private vendor check is~~ required before beginning work for the following ~~positions (benefited, non-benefited, and volunteers):~~

i. ~~Presidents and Vice Presidents~~ All benefitted positions; and-

ii. Non-benefitted positions, including volunteers who:

1. have access to confidential or proprietary information;
2. have master keys;
3. have access to cash, credit, debit or other financial transactions;
4. are resident hall and/or apartment managers, directors or assistants;
5. are childcare employees and other employees who have unsupervised contact with minor children;
6. are responsible for, or with access to, controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances;
7. are instructional faculty and staff, including graduate teaching assistants; and

- ~~ii. are counselors and coaches.~~
- ~~iii. Residence hall and apartment manager or director assistants.~~
- ~~iv. Custodians and other employees with master keys or other means of unsupervised access to residence halls or secure buildings or facilities.~~
- ~~v. Child care employees and other employees who have unsupervised contact with children.~~
- ~~vi. Employees, including faculty, with access to potentially dangerous chemicals and other substances as part of their job responsibilities.~~
- ~~vii. Counselors and coaches.~~
- ~~viii. Information Technology Staff.~~
- ~~ix. Employees responsible for or with unsupervised access to cash, credit, debit, or other financial transactions or numbers, or confidential or other protected information including medical records, social security numbers, tax, retirement, or vendor or contractor proprietary, or other confidential information.~~
- ~~x. All other benefitted staff positions not already described in sections a. or b. above.~~

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3. Criminal history check and sex offender registration checks are required every 24 months for volunteers and temporary hires for camps and other activities that involve minors.

4. The criminal history check shall, at the minimum include:

- a. All names/aliases for the past seven (7) years;
- b. All addresses for the past seven (7) years;
- c. Federal criminal background check using primary source;
- d. County criminal background check using primary source; and
- e. Nationwide sex offender registry check.

5. The criminal history check and sex offender registry checks must be completed before beginning employment. If there is an urgent documented need to start employment; within seven working days of selection and prior to the completion of the check, the employee may begin work as scheduled, under proper supervision; however, continued employment is subject to successful completion of the checks.

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- ~~e. A criminal history background check for faculty positions not mentioned in sections a. and b. is not required but may be requested by the Vice President for Academic and Student Affairs. Any criminal history background check requested by the Vice President for Academic and Student Affairs must be successfully completed before the beginning of work.~~
- ~~d. A check may be done on any current employee or volunteers holding any of the above listed positions and pursuant to the above guidelines, if deemed in the best interests of Lake Region State College. Background checks will be used only to evaluate candidates/employees for employment purposes and will not be used to discriminate on the basis of sex, race, color, religion, age, physical or mental disability, status with regard to marriage or public assistance, sexual orientation, or participation in lawful activity off the employer's premises during non-working hours.~~

3.6. Procedure:

- a. Position Announcements: Position announcements for positions requiring a check will include this statement: "LRSC does require a successful background check for the selected candidate prior to beginning employment." "A criminal history check will be conducted on the finalist prior to beginning employment."
- b. Offer of Employment: An offer to the finalist, for which a background-criminal history check and sex offender registry check is required or requested, may be made

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“contingent upon successfully completing a criminal history check and sex offender registry check.” Employment will not begin until results of the required or requested checks are received.

~~e. Criminal History Background Check Authorization Form: A Criminal History Background Check Authorization form will be obtained as part of the interview process. Declining to complete the authorization form will remove the candidate from further consideration for the vacancy. The form will be processed for the final candidate if required or requested. Authorization is made with the understanding that Lake Region State College reserves the right to withdraw the offer of employment or terminate employment if the results of the check are unsatisfactory.~~

~~e-c.~~ Upon receipt of the Criminal History Background Check Authorization form and recommendation approval for hire, HR will email a criminal history check link to the finalist for processing process the authorization for the background check with the appropriate agency or private licensed vendor. The fee for the background check will be paid by Lake Region State College.

4.7. Background Check Result Handling:

- a. After all requested background investigation reports are received and reviewed, the HR Office will notify the supervisor of the results and begin processing the finalist for employment. ~~The supervisor will notify the finalist of the results. If the record is clear, employment may be finalized.~~
- b. If the record is not clear, a review will be conducted by the Vice President of Administrative Services- HR Office and the supervisor/the division vice president. A previous criminal conviction does not automatically disqualify an applicant for consideration. Candidates’ eligibility will depend on a variety of factors, such as the nature, severity, and frequency of the offense or offenses; the time elapsed since conviction and the rehabilitation including the individual’s subsequent work history; the truthfulness and completeness of the candidate’s disclosure of the conviction(s); whether a criminal conviction has a direct bearing on the individual’s ability to fulfill job duties and responsibilities; the risk to the safety and welfare of employees, student, general public, or Lake Region State College property; and any other relevant information.
- c. A discovery of falsification, ~~including misrepresentation or failure to disclose relevant information as part of the recruitment and application process,~~ will disqualify a candidate from employment consideration. If the candidate is a current employee, falsification may also subject the individual to disciplinary action, up to and including termination.
- d. The background-criminal history check records will be maintained in accordance with North Dakota open records laws and records retention policies of Lake Region State College.

5.8. Denial of Employment

- a. If employment is denied or an offer of employment is withdrawn based on ~~either a BCI or FBI investigation report~~ the criminal history check, the finalist/employee has no right of appeal. A letter of adverse action will be processed by the licensed vendor that performed the criminal history check. ~~However,~~ The individual has the right to challenge any of the information on the criminal history record. The challenge must be made directly ~~to the BCI or FBI by the individual~~ to the licensed vendor. If the finalist/employee challenges the information on his/her criminal history record, the decision by LRSC to deny or to withdraw an offer of employment is suspended for one

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- week. If the challenge results in no changes in the background record or changes which do not cause the employment decision to be changed, the LRSC decision on employment for this individual is final.
- b. Anyone denied employment based on the ~~background-criminal history~~ check made through a ~~private-licensed~~ vendor is afforded certain rights under the Fair Credit Reporting Act (FCRA). The HR office will ~~coordinate the notification of the decision with the vendor and~~ provide the appropriate notification to the finalist/employee.

History

Administrative Council Approved 12/20/12

SECTION 1100.06

EMPLOYEE/VOLUNTEERS CRIMINAL HISTORY BACKGROUND INVESTIGATIONS

1. Lake Region State College is committed to providing a safe and secure environment for all students, faculty, staff, and visitors and to protecting its funds, property, and other assets. Well-informed hiring decisions contribute to this effort. To assist in this endeavor, Lake Region State College will conduct a background investigation on new hires for faculty, staff, students hired for positions, and volunteers as indicated in this policy.
 - a. New hires includes:
 - i. Individuals never before employed by the institution.
 - ii. Rehires, if the individual's break in service exceeds 12 months or unless the new position or newly assigned duties indicate that different checks or verifications are required.
 - iii. Transfers from another NDUS institution.
 - iv. Transfers and promotions within the same institution if an individual has never completed a criminal history records check or criminal history check and sex offender registry check.
2. This policy has been adopted to implement SBHE Policy 602.3 and NDUS Procedure 602.3 for job applicants and current employees at Lake Region State College.
 - a. A nationwide FBI criminal history record check is required before the beginning of work for the following positions:
 - i. Police Officer
 - ii. Security Guard
 - iii. College police dispatchers and call center operators
 - b. A criminal history check and sex offender registry check are required before beginning work for the following:
 - i. All benefitted positions; and
 - ii. Non-benefitted positions, including volunteers who:
 1. have access to confidential or proprietary information;
 2. have master keys;
 3. have access to cash, credit, debit or other financial transactions;
 4. are resident hall and/or apartment managers, directors or assistants;
 5. are childcare employees and other employees who have unsupervised contact with minor children;
 6. are responsible for, or with access to, controlled substances and other drugs, explosives or potentially dangerous chemicals and other substances;
 7. are instructional faculty and staff, including graduate teaching assistants; and
 8. are counselors and coaches.
3. Criminal history check and sex offender registration checks are required every 24 months for volunteers and temporary hires for camps and other activities that involve minors.
4. The criminal history check shall, at the minimum include:
 - a. All names/aliases for the past seven (7) years;

- b. All addresses for the past seven (7) years;
 - c. Federal criminal background check using primary source;
 - d. County criminal background check using primary source; and
 - e. Nationwide sex offender registry check.
5. The criminal history check and sex offender registry checks must be completed before beginning employment. If there is an urgent documented need to start employment; within seven working days of selection and prior to the completion of the check, the employee may begin work as scheduled, under proper supervision; however, continued employment is subject to successful completion of the checks.
6. Procedure:
- a. Position Announcements: Position announcements for positions requiring a check will include this statement: *"LRSC does require a successful background check for the selected candidate prior to beginning employment."*
 - b. Offer of Employment: An offer to the finalist, for which a criminal history check and sex offender registry check is required or requested, may be made "contingent upon successfully completing a criminal history check and sex offender registry check." Employment will not begin until results of the required or requested checks are received.
 - c. Upon approval for hire, HR will email a criminal history check link to the finalist for processing with a licensed vendor. The fee for the background check will be paid by Lake Region State College.
7. Background Check Result Handling:
- a. After all requested background investigation reports are received and reviewed, the HR Office will notify the supervisor of the results and begin processing the finalist for employment.
 - b. If the record is not clear, a review will be conducted by the HR Office and the division vice president. A previous criminal conviction does not automatically disqualify an applicant for consideration. Candidates' eligibility will depend on a variety of factors, such as the nature, severity, and frequency of the offense or offenses; the time elapsed since conviction and the rehabilitation including the individual's subsequent work history; the truthfulness and completeness of the candidate's disclosure of the conviction(s); whether a criminal conviction has a direct bearing on the individual's ability to fulfill job duties and responsibilities; the risk to the safety and welfare of employees, student, general public, or Lake Region State College property; and any other relevant information.
 - c. A discovery of falsification will disqualify a candidate from employment consideration. If the candidate is a current employee, falsification may also subject the individual to disciplinary action, up to and including termination.
 - d. The criminal history check records will be maintained in accordance with North Dakota open records laws and records retention policies of Lake Region State College.
8. Denial of Employment
- a. If employment is denied or an offer of employment is withdrawn based on the criminal history check, the finalist/employee has no right of appeal. A letter of adverse action will be processed by the licensed vendor that performed the criminal history check. The individual has the right to challenge any of the information on the criminal history record. The challenge must be made directly to the licensed vendor. If the finalist/employee challenges the information on his/her criminal history record, the decision by LRSC to deny or to withdraw an offer of employment is suspended for one

week. If the challenge results in no changes in the background record or changes which do not cause the employment decision to be changed, the LRSC decision on employment for this individual is final.

- b. Anyone denied employment based on the criminal history check made through a licensed vendor is afforded certain rights under the Fair Credit Reporting Act (FCRA). The HR office will provide the appropriate notification to the finalist/employee.

History

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