

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.

12. Peace Officer Training Program – FBI check required
13. 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 acceptance to 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 retained pursuant to NDUS retention policies. The FBI audits how FBI check records are handled.

History

Administrative Council Approved 12/03/2020

Administrative Council Approved 05/31/2023