

## **BACKGROUND CHECKS**

### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment in the School District in order to promote the physical, social, and psychological well-being of its students. To that end, the School District will seek a criminal history background check for applicants who receive an offer of employment with the School District or such other background checks as provided by this policy. The School District may also elect to do background checks of volunteers, independent contractors and student employees in the School District.

### **II. GENERAL STATEMENT OF POLICY**

- A. The School District shall require that applicants for School District positions who are employed by the School District submit to a criminal history background check. The offer of employment shall be conditioned upon a determination by the School District that an applicant's criminal history does not preclude the applicant from employment with the School District.
- B. The School District specifically reserves any and all rights it may have to conduct background checks regarding current employees or applicants without the consent of such individuals.
- C. The School District shall require classroom volunteers, who may be placed in a situation where they are not supervised by an employee, to submit a criminal history background check. The volunteer may not work with students in an unsupervised setting until their background check has been reviewed by the School District.
- D. The School District shall require a criminal history background check on individuals providing athletic coaching services or other extracurricular services to a school, regardless of whether any compensation is paid. Enrolled student volunteers are exempt from this requirement.
- E. Adherence to this policy by the School District shall in no way limit the School District's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, independent contractors and student employees.

### **III. PROCEDURES**

- A. Normally, an applicant will not commence employment until the School District receives the results of the criminal history background check. The School District may conditionally hire an applicant pending completion of the background check, but shall notify the applicant that the applicant's employment may be terminated based on the result of the background check. Background checks will be performed by a licensed provider. The licensed provider will conduct the background check by retrieving criminal data as defined in Minnesota Statute. The School District reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. An applicant who is offered employment must complete a criminal history screening, which provides permission for the School District to conduct a criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee.
- C. The School District, in its discretion, may elect not to request a criminal history background check on an applicant who holds an initial entrance license issued by the Minnesota Professional Educator Licensing and Standards Board or the state board of education within the 12 months preceding an offer of employment.
- D. The School District may use the results of a criminal background check conducted at the request of another school hiring authority if:
  - 1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
  - 2. the other school hiring authority conducted a criminal background check within the previous 12 months;
  - 3. the applicant executes a written consent form giving the School District access to the results of the check; and
  - 4. there is no reason to believe that the applicant has committed an act subsequent to the check that would disqualify the applicant for employment.
- E. For all non-state residents who are offered employment with the School District, the School District shall request a criminal history background check on such applicants from a licensed provider. If a licensed provider cannot be found for the resident state the School District shall request a

criminal background history from the Federal Bureau of Investigation. Such applicants must provide an executed criminal history consent form.

- F. When required, applicants must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the applicant are unusable, the applicant will be required to submit another set of prints.
- G. Copies of this policy shall be available in the School District's employment office and will be distributed to applicants for employment upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment in the job posting and job advertisements.
- H. The applicant will be informed of the results of the criminal background check(s) to the extent required by law.
- I. If the criminal history background check precludes employment with the School District, the applicant will be so advised.
- J. The School District may apply these procedures to volunteers, independent contractors, student teachers, or student employees as though they were applicants for employment.

#### **IV. NOTIFICATION AND REPORTING**

- A. The School District will notify parents and/or guardians that the District requires a criminal background check on all employees as well as volunteer athletic coaches and volunteers providing other extracurricular services.
- B. Employees and volunteers will be notified that their employment or service may be terminated based on the results of the criminal background check.
- C. The District will notify individuals if their application to be an employee or volunteer in the District has been denied as a result of any information contained in a criminal background check.

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