

## PERSONNEL

### Employment 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 receive an offer of employment 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. 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 and volunteers.

#### 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 individual pending completion of the background check, but shall notify the individual that the individual's employment may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (hereinafter

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*M. S. 123B.03 (Background Checks)*

*M.S. 299C.60-299C.64 (Minnesota Child Protection Background Check Act)*

*M.S. 364.09(b) (Exception for School Districts)*

“the BCA”). The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. An individual who is offered employment must sign a criminal history consent form which provides permission for the school district to conduct a criminal history background check. If the individual fails to provide the school district with a signed informed consent form at the time the individual receives a job offer, the job offer is withdrawn by the school district without further action or notice.
- C. When required by the school district, candidates must provide their fingerprints to assist in a criminal history background check. If the fingerprints provided by the candidate are unusable, the candidate will be required to submit another set of prints.
- D. Copies of this policy shall be available in the school district 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 at the school district’s option.
- E. The applicant will be informed of the results of the criminal background check(s) to the extent required by law.
- F. The applicant will be advised if the criminal history background check warrants the school district’s refusal to hire or its termination of employment of the applicant.
- G. The school district may also apply these procedures to volunteers, independent contractors or student employees as though they were applicants for employment.

#### IV. CRIMINAL HISTORY CONSENT FORM

A form to obtain consent for a criminal history background check is included with this policy.

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