

**Policy 404      EMPLOYMENT BACKGROUND CHECKS****I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment in the school in order to promote the physical, social, and psychological well-being of its students. To that end, the school will seek a criminal history background check for applicants for positions requiring a criminal background investigation as provided by state statute who receive an offer of employment with the school. The school may also elect to do background checks of volunteers and other persons working in the school not otherwise covered by state statute.

**II. GENERAL STATEMENT OF POLICY**

- A. The school shall require that applicants for school positions requiring a criminal background investigation as provided by state statute who receive an offer of employment shall submit to a criminal history background check. The offer of employment shall be conditioned upon a determination by the school that an applicant's criminal history does not preclude the applicant from employment with the school.
- B. The school 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 shall in no way limit the school'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. All new employees required by state statute to be the subject of a criminal background investigation shall be employed conditionally subject to the finding by the school that there is no adverse information of past criminal activity having been revealed by the background check which would place into question the safety of students or staff, or the ability of the individual to perform the duties of the job in a reliable and effective manner. The individual so employed conditionally upon completion of the background check shall be notified 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 "the BCA"). The school reserves the right to have criminal history background checks conducted by other organizations or agencies as may be appropriate.
- B. An individual who is offered employment must sign a criminal history consent form, which provides permission for the school to conduct a criminal history background check. If the individual fails to provide the school with a signed Informed Consent Form the individual receives a job offer, the individual will be considered to have voluntarily withdrawn the application for employment.

- C. When required, candidates must provide 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 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.
- E. The applicant will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the criminal history background check precludes employment with the school, the individual will be so advised.
- G The school may apply these procedures to volunteers as though they were applicants for employment.