

404 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. Background checks will be completed for licensed staff, non-licensed staff and coaches (both paid and volunteer). The school district may also elect to do background checks of volunteers, independent contractors and student employees in the school district.

Legal References: Minn. Stat. § 13.04, Subd. 4 (Inaccurate or Incomplete Data)
Minn. Stat. § 123B.03 (Background Checks)
Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child Protection Background Check Act)
Minn. Stat. § 364.09(b) (Exception for School Districts)

Cross References:

Adopted with revisions from MSBA/MASA Model Policy 404, 2008, 2018

404 EMPLOYMENT BACKGROUND CHECKS

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, 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 the Minnesota Bureau of Criminal Apprehension (hereinafter "the BCA"). 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 sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide a money order or check payable to the BCA in an amount equal to the actual cost to the BCA and the school district of conducting the criminal history background check. If the applicant fails to provide the school district with a signed Informed Consent Form and fee at the time the applicant receives a job offer, the applicant will be considered to have voluntarily withdrawn the application for employment.

404 EMPLOYMENT BACKGROUND CHECKS

- 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 nonstate residents who are offered employment with the school district, the school district shall request a criminal history background check on such applicants from the superintendent of the BCA and from the government agency performing the same function in the resident state, or if no government entity performs the same function in the resident state, 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.

404 EMPLOYMENT BACKGROUND CHECKS

- 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 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.

GRAND RAPIDS SCHOOL DISTRICT ISD 318
 820 NW 1ST AVE
 GRAND RAPIDS, MN 55744
 Ph: 218-327-5708
 TE Account #: 10136S

In care of: **Trusted Employees**
 701 5th Street South
 Hopkins, MN 55343
 Ph 952.545.3953

Permission and Release Form for Background Investigations for New Employees

First Name	Middle Name	Last Name	Former Name(s)/Alias & Date of Change	Gender
Street Address		City/Town	State, ZIP Code	Phone Number
Social Security Number			Date of Birth (Month/Day/Year)	
Email Address			Driver's License Number & State	
Job Title or Position		Job Location	Volunteer or Paid Position?	
			<input type="checkbox"/> Volunteer (\$10 fee) <input type="checkbox"/> Paid Employee (\$20 fee)	

I hereby authorize GRAND RAPIDS SCHOOL DISTRICT ISD 318 to obtain the following information in connection with my application for employment, or, if hired, at anytime during my employment: criminal and/or motor vehicle records, employment records, **Minnesota Bureau of Criminal Apprehension criminal history as provided for in Minnesota Statute 123B.03**, educational records, consumer reports, consumer investigative reports including credit reports obtained through a consumer reporting agency, personal references and other job related data provided on this application or via the interview process. By signing this form you are allowing the above named company or individual to access any data maintained in these files with applies under the statute and authorize this background check to be performed. I acknowledge that GRAND RAPIDS SCHOOL DISTRICT ISD 318 has informed me that it may make use of this information in evaluating my application for employment, and in GRAND RAPIDS SCHOOL DISTRICT ISD 318's decisions regarding hiring, compensation, promotion, reassignment, retention, and other terms and conditions of my employment with GRAND RAPIDS SCHOOL DISTRICT ISD 318. I hereby authorize GRAND RAPIDS SCHOOL DISTRICT ISD 318 to make use of the above referenced information and release GRAND RAPIDS SCHOOL DISTRICT ISD 318 and any entity that provides information to GRAND RAPIDS SCHOOL DISTRICT ISD 318 from liability in connection with this information. Any offers of employment are contingent upon a satisfactory background investigation. I authorize the reinvestigation of any of the above information, at any time, during my employment.

Listed below are the addresses where I have lived in the past seven (7) years:

<u>Address</u>	<u>City, State and ZIP Code</u>	<u>Date: From</u>	<u>Date: To</u>
1. _____			
2. _____			
3. _____			

Would you like a free copy of the background investigation report obtained by GRAND RAPIDS SCHOOL DISTRICT ISD 318? Yes No

I understand that a photocopy of this authorization would be accepted with the same authority as the original.

Signature _____ Date _____

District Use Only Below: _____

Bill: Employee _____

Department: _____ Code: _____