



404 EMPLOYMENT AND VOLUNTEER 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 and staff. 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 and for volunteer extra-curricular athletic and academic coaches. The District will not require criminal background checks on district enrolled students who are employed or who volunteer for the District. The school district may elect to do background checks on school or program volunteers, independent contractors and student employees in the school district who are 18 years of age or older.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment, or applicants who are offered the opportunity to provide athletic coaching services and/or other extracurricular academic coaching services to the school district, whether voluntary or compensated, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an applicant's criminal history does not preclude the individual from employment with, or provision of services to, the school district. The school district may elect to do background checks on school or program volunteers, independent contractors and student employees in the school district who are 18 years of age or older.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers 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, school or program volunteers, service providers, independent contractors and student employees in the school district who are 18 years of age or older.

III. CRIMINAL HISTORY CONSENT FORM

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

policy.

Legal References: Minn. Stat. § 13.04, Subd. 4 (~~Inaccurate or Incomplete~~ **Rights of Subjects**
of Data)
Minn. Stat. § 13.87, Subd. 1 (Criminal **History** **Justice** Data)
Minn. Stat. § 123B.03 (Background Checks)
Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child, **Elder, and Individuals**
with Disabilities Protection Background Check Act)
Minn. Stat. § 364.09(b) (Exception for School Districts)

POLICY ADOPTED: February 21, 2008

POLICY REVIEWED: March, 2012

POLICY REVISED: April 26, 2012, September 15, 2016, June 4, 2020