

# AFSA High School

Adopted: May 7, 2001  
Revised: September 22, 2015

District 4074

## **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.

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

A. AFSA will conduct criminal background checks on applicants for all positions at the school, including licensed and non-licensed staff, school board members, volunteer and coaching positions.

### **III. PROCEDURES**

A. Individuals who are offered a position will be informed that a criminal background check will be conducted before the employment offer is final. The individual will sign a consent form and provide AFSA with the necessary information, such as social security number. If an individual refuses to provide AFSA with the information necessary to run a background check, s/he will not be placed in the position.

Any felony conviction for a violent crime (for example, sexual assault, assault/battery, drugs, weapons, etc.) will be reason for not offering the position. In addition, conviction of crimes in any of the following categories will be reason not to hire an applicant: sex trafficking; sexual abuse; criminal sexual conduct; interference with privacy or stalking; possessing child pornography and any other offense that requires the person to register as a predatory offender in Minnesota or any other state of the United States. If any other court-ordered penalty (conviction, probation, deferred adjudication, etc.) has occurred in the last seven years, AFSA's Board of Directors or individual or committee with authority delegated by the Board will consider the circumstances to determine whether the individual will be offered the position. Circumstances may include but are not limited to the nature of the crime, the penalty ordered by the court, the length of time since the court-ordered penalty, and terms of the penalty that have not yet been fulfilled.

If AFSA is notified that an individual who is being considered for a paid or volunteer position, or currently has a paid or volunteer position, has committed an offense or is subject to a court-ordered penalty, AFSA may contact court offices or prior employers for public records to determine if any action is warranted.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is available in the Personnel Office.

***Legal References:***      Minn. Stat. § 13.04, Subd. 4 (Inaccurate or incomplete data)  
                                 Minn. Stat. § 120.1045 (Background checks)  
                                 Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child Protection Background  
                                 Check Act)  
                                 Minn. Stat. § 364.09(b) (Exception for School Districts)