

Personnel

Employment Background Checks

I. Purpose

This policy assists in the maintenance of the school district's safe and healthy environment to promote the physical, social, and psychological well-being of its students.

II. General Statement of Policy

- A. The school district will perform a background check for applicants who receive an offer (1) of employment with the district or (2) to provide extra-curricular coaching or advising services to the district regardless of whether any compensation is paid.
- B. The district reserves rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. The district may also elect to do background checks of volunteers, independent contractors, and student employees in the district.
- D. This policy does not limit the 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, service providers, independent contractors, and student employees.

III. General Procedures

- A. The school district's offer of employment or the opportunity to provide services is conditioned upon the district's determination that an individual's background check does not preclude the individual from employment with, or provision of services to, the district. The district will notify the individual that the opportunity to provide services may be rescinded based on the results of the background check.
- B. An individual will not be allowed to commence employment or provide services until the district receives the results of the background check.
- C. For an individual to be eligible for employment or to provide extra-curricular coaching or advising services, the individual must sign a background check informed consent form, which provides permission for the district to conduct the background check. If the individual does not agree to the signed informed consent

form at the time the individual receives the offer, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.

- D. The cost of the background check is the responsibility of the individual.
- E. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- F. If the background check precludes employment with, or provision of services to, the district, the individual will be advised.
- G. The district may apply these procedures to other volunteers, independent contractors, or student employees as though they were applicants for employment or providing extra-curricular coaching or advising services.
- H. At the beginning of each school year or when a student enrolls, the district will notify parents and guardians about this policy. The district may include this notice in its student handbook, enrollment or registration materials, or other similar communication.

Legal References:

Minn. Stat. § 13.04, subd. 4 (Rights of Subjects of Data; Procedure When Data is Not Accurate or Complete)

Minn. Stat. § 13.87, subd. 1 (Criminal Justice Data; Criminal History 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) (Ban-the-Box; Exception for School Districts)

Policy

adopted: 09/22/08

amended: 02/23/09

revised: 04/15/13

revised: 06/13/16

revised: 09/14/20

revised: 04/08/24

INDEPENDENT SCHOOL DISTRICT NO. 273

Edina, Minnesota