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Background Check Policy

I. Purpose

Academic Arts High School (AHA) is committed to the safety of its students and staff. In order to maintain a safe and healthful environment, the district should be assured that all employees and others having contact with students do not have criminal histories or engage in criminal behavior that threatens that well-being.

II. General Statement of Policy

A. Academic Arts High School will seek a criminal history background check for all individuals who will have the potential to be in a one-to-one environment with students. Such individuals include, but may not be limited to: job applicants who receive an offer of employment, individuals who provide student services, volunteers, independent contractors and subcontractors, regardless of whether any compensation is paid or other background checks have been conducted.

B. Applicants for AHA positions as employees or as persons offering children's services, including after-school child care providers and after school AHA sponsored programs, must disclose as part of their application any criminal conviction in their history, or any currently pending criminal charge against them.

C. The offer of any employment or the offer of an opportunity to provide services to AHA students shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, AHA.

D. AHA specifically reserves any and all rights it may have to conduct criminal or other background checks regarding current employees, applicants, or service providers without the consent of such individuals.

E. Adherence to this policy by AHA shall in no way limit the school's right to require additional information or to use procedures to gain additional background information concerning

employees, applicants, volunteers, service providers, independent contractors, and student employees. These persons are put on notice that the District may review social media created by or concerning the individual to gather background information.

III. Procedures

A. Normally an individual will not commence employment or provide services until AHA receives the results of the criminal history background check. AHA may conditionally hire an applicant or allow an individual to provide services pending completion of the background check, but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be comprehensive in nature including, but not limited to check including a BCA, National Sex Offenders Registry, FBI Criminal Index, and a Social Security Cross Check. The BCA shall conduct the background check by retrieving criminal history data as defined in *Minnesota Statutes section 13.87*.

B. In order for an individual to be eligible for employment, provide student services, serve as an unsupervised volunteer, board member, independent contractor, or subcontractor, the individual must sign a criminal history consent form which provides permission for AHA to conduct a criminal history background check. The cost of the background check will be at the expense of the school for job applicants and employees. All other individuals will assume the cost of the check unless the school elects to pay the cost for a volunteer, independent contractor, subcontractor, student teacher, or interns in the school.

C. AHA, in its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the state board of teaching or the commissioner of education within the 12 months preceding an offer of employment or permission to provide services.

D. AHA, in its discretion, may elect not to request a criminal history background check on an individual who is enrolled in an accredited higher education program that conducts background checks of its enrollees.

E. AHA will contact the Board of Teaching to determine whether the board has taken disciplinary action against a teacher at the time the school district conducts the criminal background check of any individual it offers to employ as a teacher. The school district must require the individual to provide information in the employment application regarding all current and previous disciplinary actions in Minnesota and other states taken against the individual's teaching license, and the school district will notify the teacher that intentionally submitting false or incomplete information is a ground for dismissal.

F. The individual will be informed of the results of the criminal background check(s) to the extent required by law.

G. At the beginning of each school year or when a student enrolls, AHA will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school may include this notice in its student handbook, a school policy guide, or other similar communication.