

Adopted: _____

Albany Area Schools Policy #410

Revised: _____

410 BACKGROUND CHECKS

- I. **PURPOSE:** The purpose of this policy is to establish district regulations for maintaining an accurate system of criminal background checks in accordance to Minnesota state law.

- II. **GENERAL STATEMENT OF POLICY:** Albany Area Schools shall request a criminal background check from the Bureau of Criminal Apprehension (BCA) on all individuals who are offered employment in a school and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide coaching services or other extracurricular academic coaching services to the district, regardless of whether any compensation is paid.
 - A. Individuals must provide an executed criminal history consent form and a money order or check payable to either the BCA or the District at the discretion of the District in an amount equal to the actual cost to the BCA and/or the District for doing the background check.
 - B. The District may, at its discretion, decide 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.
 - C. If the candidate offered employment has lived and worked in another state or country within the past ten years the district may, at its discretion, use a third party vendor to do a national criminal history background check. The candidate shall be given notice of this and required to pay 50% for that third party background check payable by check or money order to the District.
 - D. The 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 district or otherwise accessible.
 2. The other school district conducted the criminal background check within that previous 12 months.
 3. The individual who is the subject of the criminal background check executes a written consent form giving the District access to the results of the check
 4. There is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the individual for employment.
 - E. The District shall use its discretionary powers to request criminal background

checks of volunteers other than those engaged in coaching activities. Such volunteers may be engaged in mentoring, assisting or supervising students in various school sponsored activities. The District, at its discretion, may elect to pay for checks on the afore mentioned volunteers. Background checks shall be conducted on volunteers who:

1. Are charged with supervision of students outside the direct supervision of a licensed staff member or a volunteer who has had a criminal background check.
2. Are engaged in school activities and interactions with students beyond two consecutive days.

F. The District shall require background checks on contractors working inside a building or on school grounds for an extended period when school is in session. An extended period is defined as beyond three consecutive days. The cost of the background check shall be borne by the company or the employee of the company conducting the work.

III. Maintenance of Records Regarding Volunteers: Building Principals and Program Directors are required to provide the Superintendent of Schools a list of volunteers working in the school district each year by September 1st. Any additions to that list require immediate notification to the Superintendent of Schools. Principals and Directors are required to determine, based on this policy whether or not a background check is needed for each volunteer.

IV. Employees may begin working prior to the return of the criminal history background check report is returned to the District. If the background check raises concern the District, at its discretion shall withdraw the offer of employment or terminate an employee who has begun working.

Legal References: Minnesota Statute 123B.03