TRIO Wolf Creek Distance Learning Charter School #4095

404 BACKGROUND CHECKS

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the charter school in order to promote the physical, social, and psychological well-being of its students. To that end, the school will seek a criminal history background check for applicants who receive an offer of employment with the school and on all individuals who are offered the opportunity to interact with students in a professional capacity, regardless of whether any compensation is paid, or such other background checks as provided by this policy.

II. GENERAL STATEMENT OF POLICY

A. The school shall require that applicants for any charter school employment, who receive an offer of employment and all individuals who are offered the opportunity to interact with students in a professional capacity, submit to a criminal history background check. The offer of employment or opportunity to provide services shall be conditioned upon a determination by the school that an individual's criminal history does not preclude the individual from employment with, or provision of services to the school.

B. The charter school 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 shall in no way limit the school'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, and service providers.

D. The school may also elect to do background checks of other volunteers, mentors or interns in the school.

III. PROCEDURES

A. Normally an individual will not commence employment or provide services until the school receives the results of the criminal history background check. The school may conditionally hire an individual 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 performed by a qualified agency selected for this

task by the charter school. The school reserves the right to also have criminal history background checks conducted by other organizations or agencies.

B. In order for an individual to be eligible for employment or to interact with students in a professional capacity, the individual must sign a criminal history consent form which provides permission for the school to conduct a criminal history background check. If the individual fails to provide the school with a signed **Background Check** form at the time the individual receives a job offer (or permission to provide services), the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.

C. The charter school, 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 Minnesota Professional Educator Licensing and Standards Board or the commissioner of education within the 12 months preceding an offer of employment or permission to provide services. However, pursuant to MN Statutes 123B.03, Subd. 1a. investigation of disciplinary actions taken against prospective teachers, the charter school will contact the Board of Teaching to determine whether the board has taken disciplinary action against the teacher based on a board determination that sexual misconduct or attempted sexual misconduct occurred between the teacher and a student. If disciplinary action has been taken based on this type of conduct, the school board or other hiring authority must obtain access to data that are public under section 13.41, Subd. 5, that relate to the substance of the disciplinary action. In addition, the charter school 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 as a result of sexual misconduct or attempted sexual misconduct with a student and indicate to the applicant that intentionally submitting false or incomplete information is grounds for dismissal.

D. The charter school 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 hiring authority or otherwise accessible;

2. the other school hiring authority conducted a criminal background check within the previous 12 months;

3. the individual executes a written consent form giving the charter school access to the results of the check; and

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 or provision of services.

E. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.

F. Copies of this policy shall be available in the school's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to interact with students in a professional capacity upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.

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

H. If the criminal history background check precludes employment with, or provision of services to, the charter school, the individual will be so advised.

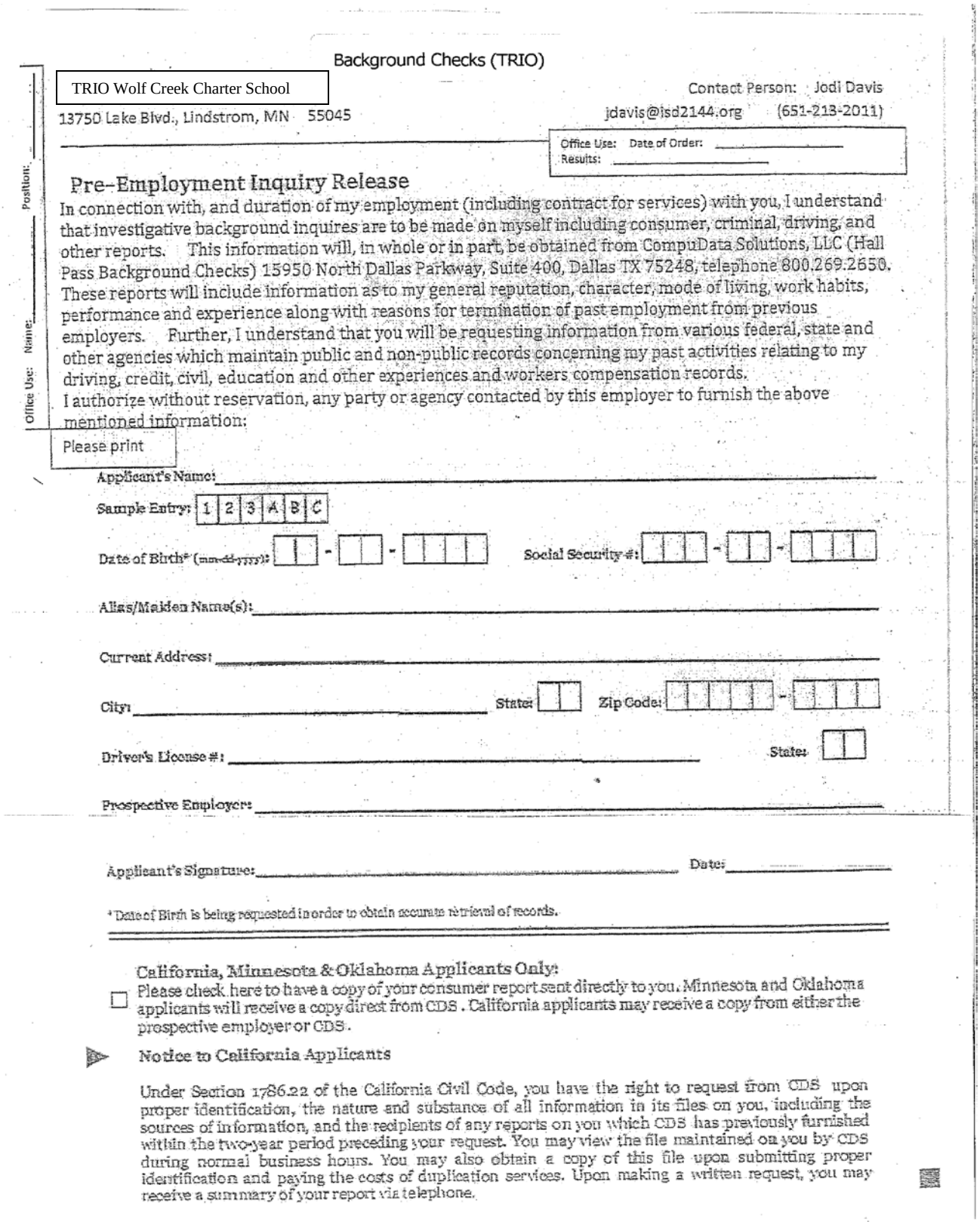
I. The school may apply these procedures to other volunteers and other service providers as though they were applicants for employment.

IV. 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 data)
Minn. Stat. § 13.87, Subd. 1 (Criminal History Data)
Minn. Stat. § 123B.03 (Background Checks)
Minn. Stat. §§ 299C.60-299C.64 (MN Child Protection Background Check Act)
Minn. Stat. § 364.09(b) (Exception for School Districts)

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Background Checks (TRIO)

TRIO Wolf Creek Charter School

13750 Lake Blvd., Lindstrom, MN 55045

Contact Person: Jodi Davis
jdavis@isd2144.org (651-213-2011)

Office Use: Date of Order: _____
Results: _____

Position: _____
Office Use: Name: _____

Pre-Employment Inquiry Release

In connection with, and duration of my employment (including contract for services) with you, I understand that investigative background inquires are to be made on myself including consumer, criminal, driving, and other reports. This information will, in whole or in part, be obtained from CompuData Solutions, LLC (Hall Pass Background Checks) 15950 North Dallas Parkway, Suite 400, Dallas TX 75248, telephone 800.269.2650. These reports will include information as to my general reputation, character, mode of living, work habits, performance and experience along with reasons for termination of past employment from previous employers. Further, I understand that you will be requesting information from various federal, state and other agencies which maintain public and non-public records concerning my past activities relating to my driving, credit, civil, education and other experiences and workers compensation records.
I authorize without reservation, any party or agency contacted by this employer to furnish the above mentioned information:

Please print

Applicant's Name: _____

Sample Entry: 1 2 3 A B C

Date of Birth* (mm-dd-yyyy): ☐☐ - ☐☐ - ☐☐☐☐ Social Security #: ☐☐☐ - ☐☐ - ☐☐☐☐

Alias/Maiden Name(s): _____

Current Address: _____

City: _____ State: ☐☐ Zip Code: ☐☐☐☐☐ - ☐☐☐☐

Driver's License #: _____ State: ☐☐

Prospective Employer: _____

Applicant's Signature: _____ Date: _____

*Date of Birth is being requested in order to obtain accurate retrieval of records.

California, Minnesota & Oklahoma Applicants Only:

☐ Please check here to have a copy of your consumer report sent directly to you. Minnesota and Oklahoma applicants will receive a copy direct from CDS. California applicants may receive a copy from either the prospective employer or CDS.

Notice to California Applicants

Under Section 1786.22 of the California Civil Code, you have the right to request from CDS upon proper identification, the nature and substance of all information in its files on you, including the sources of information, and the recipients of any reports on you which CDS has previously furnished within the two-year period preceding your request. You may view the file maintained on you by CDS during normal business hours. You may also obtain a copy of this file upon submitting proper identification and paying the costs of duplication services. Upon making a written request, you may receive a summary of your report via telephone.