BLUFFVIEW MONTESSORI SCHOOL
POLICY 404 EMPLOYMENT BACKGROUND CHECKS

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in Bluffview Montessori 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, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school will also elect to do background checks of other volunteers, independent contractors, and student employees in the school.

II. GENERAL STATEMENT OF POLICY

A. The school shall require that applicants for school positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the 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 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, service providers, independent contractors, and student employees.

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 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 performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. Additionally, the school will require federal criminal history background checks to be conducted by the Federal Bureau of Investigation. Federal background checks will be executed every five years for all employees (for teachers, in the year of license renewal; for all others, on a schedule established by administration).

B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school to conduct a criminal history background check. The cost of the criminal history background check will be paid by the school, although voluntary donations to cover the cost will be accepted. If the individual fails to provide the school with a signed Informed Consent 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 school will not use the results of a criminal background check conducted at the request of another school hiring authority or any other organization.

D. For all non-state residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school, the school shall request a criminal history background check from the Federal Bureau of Investigation. The offer of employment or the 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. Such individuals must provide an executed criminal history consent form.

E. 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 office. The need to submit to a criminal history background check will 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 school, the individual will be so advised.

I. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA) on all volunteers who work with students. Ongoing volunteers will be required to have a background check executed every two years.

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

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 Check)
- Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child Protection Background Check Act)
- Minn. Stat. § 364.09(b) (Exception for School Districts)

Cross References: