



*Adopted October 23, 2015*

*EMID 6067 Board Procedure 404A*

*Revised:*

#### **404A EMPLOYMENT BACKGROUND CHECKS PROCEDURE**

##### **PROCEDURES**

- A. Normally an applicant will not commence employment until EMID receives the results of the criminal history background check. EMID may conditionally hire an applicant pending completion of the background check, but shall notify the applicant that the applicant's employment may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (hereinafter "the BCA"). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. EMID reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. An applicant who is offered employment must sign a criminal history consent form, which provides permission for EMID to conduct a criminal history background check. The applicant must provide payment in an amount equal to the actual cost to the BCA and EMID of conducting the criminal history background check unless the district decides to pay the cost. If the applicant fails to provide EMID with a signed Informed Consent Form and fee at the time the applicant receives a job offer, the applicant will be considered to have voluntarily withdrawn the application for employment.
- C. EMID may elect not to request a criminal history background check on an applicant who holds an initial entrance license issued by the Minnesota Board of Teaching or the Commissioner of Education within the 12 months preceding an offer of employment.
- D. EMID 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 applicant executes a written consent form giving EMID access to the results of the check; and
  4. there is no reason to believe that the applicant has committed an act subsequent to the check that would disqualify the applicant for employment.
- E. For all non-state residents who are offered employment, EMID shall request a criminal history background check on such applicants from the superintendent of the BCA and from the government agency performing the same function in the resident state, or if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. Such applicants must provide an executed criminal history consent form.
- F. When required, applicants must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the applicant are unusable, the applicant will be required to submit another set of prints.
- G. Copies of this policy shall be available in the Executive Director's office and will be distributed to applicants for employment upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment in the job posting and job advertisements.
- H. The applicant will be informed of the results of the criminal background check(s) to the extent required by law.
- I. If the criminal history background check precludes employment with EMID, the applicant will be so advised.
- J. EMID may apply these procedures to volunteers, independent contractors or student employees as though they were applicants for employment.