

TESFA INTERNATIONAL SCHOOL EMPLOYMENT BACKGROUND CHECKS (404)

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in Tesfa International School in order to promote the physical, social, and psychological well-being of its students. To that end, Tesfa International School will seek a criminal history background check for applicants who receive an offer of employment with Tesfa International School and on all individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to Tesfa International School, regardless of whether any compensation is paid, or such other background checks as provided by this policy. Tesfa International School may also elect to do background checks of other volunteers, independent contractors, and student employees in Tesfa International School.

II. GENERAL STATEMENT OF POLICY

- A. Tesfa International School shall require that applicants for Tesfa International School positions who receive an offer of employment and all individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to Tesfa International 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 Tesfa International School that an individual's criminal history does not preclude the individual from employment with, or provision of services to, Tesfa International School.
- B. Tesfa International 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 Tesfa International School shall in no way limit Tesfa International 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 Tesfa International School receives the results of the criminal history background check. Tesfa International 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 (hereinafter “the BCA”). Tesfa International 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 provide athletic coaching services or other extracurricular academic coaching services to Tesfa International School, the individual must sign a criminal history consent form, which provides permission for Tesfa International School to conduct a criminal history background check, and provide a money order or check payable to either the BCA or to Tesfa International School, at the election of Tesfa International School, in an amount equal to the actual cost to the BCA and Tesfa International School of conducting the criminal history background check. If the individual fails to provide Tesfa International School with a signed Informed Consent Form and fee 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. Tesfa International 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 state board of teaching or the commissioner of education within the 12 months preceding an offer of employment or permission to provide services.
- D. Tesfa International 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 Tesfa International 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. 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 Tesfa International School, Tesfa International School shall request a criminal history background check on such individuals

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. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by Tesfa International School that an individual's criminal history does not preclude the individual from employment with, or provision of services to, Tesfa International School. Such individuals must provide an executed criminal history consent form.

- F. 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.
- G. Copies of this policy shall be available in Tesfa International School's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services 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.
- H. The individual 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, or provision of services to, Tesfa International School, the individual will be so advised.
- J. Tesfa International School may apply these procedures to other volunteers, independent contractors, or student employees as though they were applicants for employment or providing athletic coaching services or other extracurricular academic coaching services.
- K. At the beginning of each school year or when a student enrolls, Tesfa International School will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of Tesfa International School's discretion in requiring a background check. Tesfa International School may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.
- L. Pursuant to MN Statute 123B.03, Subd.1a, the director 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. The school will require applicants to provide information 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. The school will inform applicants that intentionally submitting false information is grounds for dismissal.

Adopted: 9/3/14

Reviewed: 11/13/17