

## **LIONSGATE ACADEMY**

### **604 BACKGROUND CHECKS**

*Original Adoption Date: 04/15/2014*

*Revision Date(s): 03/15/2016, 3/5/2019*

*Review Date(s): 02/24/2016, 3/5/2019, 8/3/2021*

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#### **I. PURPOSE**

The purpose of this policy is to ensure a safe and healthy environment to promote the physical, social, and psychological well-being of Lionsgate Academy students and employees.

#### **II. GENERAL STATEMENT OF POLICY**

- A. Lionsgate Academy shall require that all applicants for employment, or persons offering student services to Lionsgate Academy, including board members and continuous volunteers, submit to a criminal background check, including driving records, following being offered the opportunity. The offer shall be conditioned upon a determination by Lionsgate Academy that an individual's criminal history does not preclude the individual from employment, or provision of services to, Lionsgate Academy.
- B. Lionsgate Academy will conduct full background checks on all active employees or persons offering student services to Lionsgate Academy every two years. Individuals that drive company vehicles will also have a driving record check completed annually. Lionsgate Academy will inform the employee or person offering student services of its intent to complete a secondary background check prior to submission.
- C. Lionsgate Academy reserves any and all rights it may have to conduct criminal background checks upon reasonable suspicion that an offense has occurred that may preclude participation in assigned duties. All subjects of background studies will be informed of their rights prior to submission.
- D. Any employee, board member, continuous volunteer, or person providing student services to Lionsgate Academy that is convicted of a crime, charged with a felony or gross misdemeanor, or has been so convicted or charged must disclose that fact to the human resource department within five days of the conviction. Failure to do so shall subject the employee to discipline up to and including termination, and shall subject the board member, volunteer, or other person providing student services to termination.
- E. Adherence to this policy by Lionsgate Academy shall in no way limit the Executive Director's right to required additional information or to use procedures to gain additional background information concerning employees, applicants, volunteers, service providers and student employees. These persons are put on notice that Lionsgate Academy may review social media created by or

concerning the individual to gather background information.

- F. Any licensed person being offered employment at Lionsgate Academy shall also be subject to a disciplinary action check with the Minnesota Board of Teaching or any other applicable professional board. Applicants shall be required to disclose any current or previous disciplinary actions in Minnesota and other states taken against the individual's license. Failure to provide true or complete information regarding disciplinary actions is a ground for dismissal.

### **III. EXCEPTIONS**

- A. Lionsgate Academy may choose to use the results of a criminal background check conducted at the request of another school or district if:
  - 1. the results of the criminal background check are on file with the other school or district or are otherwise accessible; and
  - 2. the criminal background check to be used was conducted within the twelve (12) months preceding the offer of employment; and
  - 3. the individual executes a written consent giving Lionsgate Academy access to the results of the check; and
  - 4. the individual declares that there have been no changes to this statute due to acts committed before or subsequent to the check to be used; and
  - 5. 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.

#### ***Legal References:***

*Minn. Stat. §299C.60 to 299C.64 (Background Checks)*

*Minn. Stat. §13.87 (Criminal Justice Data)*

*Minn. Stat. §13.41 (Licensing Data)*

*Minn. Stat. §13.43 (Personnel Data)*