

3008 BACKGROUND CHECK POLICY [REQUIRED]

The Board of The Biome School adopts the following policy, effecting on the date of adoption by the Board.

The Biome School is committed to providing a safe learning environment for our students. Accordingly, The Biome School requires criminal background checks of employees, as well as members of the Board of Directors, certain volunteers and others working on school grounds. The Board directs the President and CEO to develop procedures and practices consistent with this policy.

Section 1. Definitions

Section 1.1. *Criminal Background Check* – A search of the Federal Bureau of Investigation’s criminal history files; the Missouri Highway Patrol’s criminal history database and sexual offender registry; the Family Care Safety Registry (FCSR) or the central registry of child abuse and neglect of the Children’s Division (CD) of the Department of Social Services; Missouri Case.net; and other databases required by law or by The Biome School.

Section 1.2. *Driving Records* – Traffic-related offenses contained in the Missouri Department of Revenue’s databases.

Section 1.3. *Screened Volunteer* – any person who assists a school by providing uncompensated service and who periodically be left alone with students. Screened volunteers include, but are not limited to, person who regularly assist in the office or library, mentor or tutor students, coach or supervise or sponsor a school-sponsored activity before or after school, and/or chaperone students on an overnight trip.

Section 2. Employees

Section 2.1. Generally, The Biome School shall conduct criminal background checks in accordance with law on all new employees, screened volunteers, contractors, or others authorized to have contact with students prior to the employees working with students; however, The Biome School may forgo a criminal background check when:

- a) A teacher is employed to work on a part-time or substitute basis within one year of having retired from The Biome School.
- b) An employee or potential employee has had a background check conducted by another Missouri public school within the past year and The Biome School receives a copy of the background check directly from the other school or district.
- c) An employee or potential employee has successfully completed a criminal background check, including a check of the FCSR, as part of the professional license application process within one year prior to employment.

Section 2.2. Any offer of employment is contingent upon the satisfactory outcome of the criminal background check, when required by The Biome School. The Biome School has the sole and absolute discretion to determine whether the outcome is satisfactory.

Section 3. Board Members

Section 3.1. The Biome School will conduct a search of the Missouri Highway Patrol's criminal history database and the FCSR or the central registry of child abuse and neglect of the CD on each person serving as a member of The Biome School's Board of Directors.

Section 4. Volunteers

Section 4.1. The Biome School will conduct a full criminal background check consistent with Section 1.1 above on all screened volunteers. All screened volunteers must satisfactorily complete the criminal background check required of employees prior to being left along with a student or students. The Executive Director or designee is directed to identify any additional volunteer positions at The Biome School that will also require a criminal background check. Volunteers that are not screened shall not be left alone with a student or students.

Section 4.2. The President and CEO or designee must receive the results of the background check and officially approve the volunteer before he or she may begin service in the identified volunteer position.

Section 5. Payment

Section 5.1. In general, applicants for employment and volunteers are responsible for the cost of the criminal background checks, but The Biome School may later reimburse the person at The Biome School's discretion. However, when an applicant has had a background check conducted by another Missouri public school within the past year and The Biome School receives a copy of the background check directly from the other school or district, The Biome School will not require an additional background check as a condition of employment unless The Biome School pays the cost, in accordance with law.

Section 5.2. The Biome School will pay the expenses associated with conducting and renewing criminal background checks for current employees. In cases where The Biome School requires independent contractors to conduct criminal background checks, payment for the background checks will be determined by the contract.

Section 6. Updating Information

Section 6.1. The Biome School reserves the right to require any employee or volunteer to submit to additional criminal background checks at The Biome School's expense or to rerun background checks at any time. The Biome School will provide the Department of Elementary and Secondary Education (DESE) the relevant personnel information necessary to conduct postemployment background checks as allowed by law.

Section 6.2. Any employee refusing to submit to a background check may be disciplined or terminated. The Biome School may decline to utilize the services of volunteers or contractors who refuse to submit to background checks.

Section 7. School Notification

Section 7.1. As a condition of continuing to work within The Biome School, all employees and other persons required to submit to a criminal background check pursuant to this policy must notify The Biome School if they are charged, convicted, plead guilty to or are otherwise found guilty of any misdemeanor or felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than five business days after the event.

Section 8. Reporting Requirements

Section 8.1. The Biome School will report to DESE when information is obtained that a certificated person has pled guilty or no contest to or been found guilty of a crime or offense, regardless of whether a sentence has been imposed, in Missouri, another state or another country that may put the person's certificate in jeopardy pursuant to Missouri law.

Section 9. Confidentiality

Section 9.1. Information received by The Biome School pursuant to a criminal background check is confidential. Except as allowed by law, The Biome School will only use this information for The Biome School's internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on The Biome School property. The Biome School will keep this information in a location that is only accessible to persons who need to know the information to carry out their responsibilities with The Biome School.

Section 9.2. Any person submitting to a criminal background check may, upon request, receive a copy of the background check information received by The Biome School.

Section 9.3. Pursuant to state law and upon the written request of an employee or former employee, The Biome School may transfer a criminal background check to another public school or school district within one year of receiving the background check.

Section 10. Consequences

Section 10.1. The President and CEO or designee is directed to exclude from employment or to take action to terminate individuals whose criminal background checks reveal that they have exhibited behavior that is violent or harmful to children or adults.

Section 10.2. Employees who fail to keep background checks confidential as required by law or this policy or who violate any portion of this policy or The Biome School procedure will be subject to disciplinary action up to and including termination.