

## BACKGROUND CHECK POLICY

The Hawthorn Leadership School for Girls is committed to providing a safe environment for students to learn. As part of this effort, in accordance with this policy, Hawthorn will require 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 Head of School 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 Hawthorn.

**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, Hawthorn shall conduct criminal background checks in accordance with law on all new employees authorized to have contact with students prior to the employees working with students; however, Hawthorn may forgo a criminal background check when:

1. A teacher is employed to work on a part-time or substitute basis within one year of having retired from Hawthorn.
2. An employee or potential employee has had a background check conducted by another Missouri public school within the past year and Hawthorn receives a copy of the background check directly from the other school or district.
3. 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 Hawthorn. Hawthorn has the sole and absolute discretion to determine whether the outcome is satisfactory.

### **Section 3. Board Members**

**Section 3.1** Hawthorn 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 Hawthorn's Board of Directors.

### **Section 4. Volunteers**

**Section 4.1.** Hawthorn 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 Head of School or designee is directed to identify any additional volunteer positions at Hawthorn 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 Head of School 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 Hawthorn may later reimburse the person at Hawthorn's discretion. However, when an applicant has had a background check conducted by another Missouri public school within the past year and Hawthorn receives a copy of the background check directly from the other school or district, Hawthorn will not require an additional background check as a condition of employment unless Hawthorn pays the cost, in accordance with law.

**Section 5.2.** Hawthorn will pay the expenses associated with conducting and renewing criminal background checks for current employees. In cases where Hawthorn 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.** Hawthorn reserves the right to require any employee or volunteer to submit to additional criminal background checks at Hawthorn's expense or to rerun background checks at any time. Hawthorn 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. Hawthorn 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 Hawthorn, all employees and other persons required to submit to a criminal background check pursuant to this policy must notify Hawthorn 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.** Hawthorn 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 Hawthorn pursuant to a criminal background check is confidential. Except as allowed by law, Hawthorn will only use this information for Hawthorn's internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on Hawthorn property. Hawthorn 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 Hawthorn.

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

**Section 9.3.** Pursuant to state law and upon the written request of an employee or former employee, Hawthorn 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 Head of School 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 Hawthorn procedure will be subject to disciplinary action up to and including termination.

Adopted November 18, 2021