



## CHILDREN'S SERVICE WORKER'S RIGHTS NOTIFICATION

A children's service worker who is the subject of a background check request has the following rights:

- (1) the right to be informed that a children's service provider will request a background check on the children's service worker:
  - (i) for purposes of the children's service worker's application to be employed by, volunteer with, or be an owner of a children's service provider or for purposes of continuing as an employee, volunteer, or owner; and
  - (ii) to determine whether the children's service worker has been convicted of any crime specified
- (2) the right to be informed by the children's service provider of the response to the background check and to obtain from the children's service provider a copy of the background check report;
- (3) the right to obtain any record that forms the basis for the report;
- (4) the right to challenge the accuracy and completeness of any information contained in the report or record pursuant to section Minnesota State Statute 13.04, subdivision 4;
- (5) the right to be informed by the children's service provider if the children's service worker's application to be employed with, volunteer with, or be an owner of a children's service provider, or to continue as an employee, volunteer, or owner, has been denied because of the response; and
- (6) the right not to be required directly or indirectly to pay the cost of the background check.

### Background Check Crimes

Crimes/conditions which would disqualify applicant:

- 1) Any active arrest warrant
- 2) Any DUI/DWI that is a gross misdemeanor/felony crime in last three years
- 3) Any felony crime not listed below in the past 3 years
- 4) Permanent exclusion will occur for any of the below listed crimes:
  - Murder
  - Manslaughter
  - Felony level assault
  - Kidnapping
  - Arson
  - Criminal Sexual Conduct
  - Prostitution-related crimes
  - Any act committed against a minor which constitutes a violation of:
    - 609.185(5) - murder while committing child abuse
    - 609.221 - 1<sup>st</sup> degree assault
    - 609.222 - 2<sup>nd</sup> degree assault
    - 609.223 - 3<sup>rd</sup> degree assault
    - 609.224 - 5<sup>th</sup> degree assault
    - 609.2242 - domestic assault
    - 609.322 - solicitation, inducement & promotion of prostitution
    - 609.324 - prostitution related offenses
    - 609.342 - 1<sup>st</sup> degree criminal sexual conduct
    - 609.343 - 2<sup>nd</sup> degree criminal sexual conduct
    - 609.344 - 3<sup>rd</sup> degree criminal sexual conduct
    - 609.345 - 4<sup>th</sup> degree criminal sexual conduct
    - 609.352 - solicitation of children to engage in sexual conduct
    - 609.377 - malicious punishment of a child
    - 609.378 - neglect or endangerment of a child
  - Any violation of:
    - 152.021, subd. 1(4) - 1<sup>st</sup> degree controlled substance crime
    - 152.022, subd. 1(5) or (6) - 2<sup>nd</sup> degree controlled substance crime
    - 152.023, subd. 1(3) or (4) - 3<sup>rd</sup> degree controlled substance crime
    - 152.023, subd. 2(4) or (6) - 3<sup>rd</sup> degree controlled substance crime
    - 152.024, subd. 1(2), (3), (4) - 4<sup>th</sup> degree controlled substance crime

Exception: Once a person's civil rights are restored their case can be reviewed for reinstatement as a volunteer.

