

IN PROGRESS CRIMINAL BACKGROUND CHECK POLICY

In Progress may conduct criminal record checks as part of hiring project specific contract staff for its work with artist communities under the age of 18.

This search may include appropriate court records relating to the applicant's county of residence for evidence of felony and/or misdemeanor convictions and potentially searches of the Minnesota Criminal Offender Record Information (CORI) database, and/or other state-by-state or national criminal databases followed by verifying county searches

Where a criminal record check is part of a general background check for contract initiation, volunteer work, or licensing purposes, the following practices and procedures will generally be followed.

1. Criminal record checks will be conducted in accordance with applicable law. Proposed contractors will be notified if a criminal record check will be conducted and will be asked to complete a **Disclosure and Authorization form in accordance with the Fair Credit Reporting Act (FCRA)** and/or CORI request form authorizing In Progress to conduct a criminal record search. If requested, the proposed contractor will be provided with a copy of this criminal background check policy.
2. Unless otherwise provided by law, a criminal record will not automatically disqualify the proposed contractor. Rather, determinations of suitability based on criminal record checks will be made consistent with this policy and any applicable law or regulations.
3. If a criminal record is received, the authorized individual will closely compare the record provided with the information on the Disclosure and Authorization Form or CORI request form, and any other identifying information provided by the proposed contractor, to ensure the record relates to the proposed contractor.
4. If In Progress is inclined to make an adverse decision based on the results of the criminal background check, the proposed contractor will be notified immediately. The proposed contractor will be provided with a copy of the criminal record, In Progress's criminal background policy, and the **FCRA Summary of Rights**, and will be advised of the part(s) of the record that make the individual unsuitable for the position or license. In Progress will provide the proposed contractor with an opportunity to dispute the accuracy and relevance of the criminal record.
5. Proposed contractors challenging the accuracy of a criminal record shall be provided a copy of **Minnesota Public Criminal History**. If the criminal record provided does not exactly match the identification information provided by the contractor, In Progress will make a determination based on a comparison of the criminal record and documents provided by the proposed contractor.
6. If In Progress reasonably believes the record belongs to the proposed contractor is accurate, then In Progress will determine the proposed contractor's suitability for the position. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following: a) Relevance of the crime to the position sought; b) The nature of the work to be performed; c) Time since the conviction; d) Age of the candidate at the time of the offense; e) Seriousness and specific circumstances of the offense; f) The number of offenses; g) Whether the applicant has pending charges; h) Any relevant evidence of rehabilitation or lack thereof; i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority
7. In Progress will notify the proposed contractor of the decision and the basis of the decision in a timely manner.

Originally approved by the In Progress Board of Directors 9/26/16

Reviewed and Revised by the Board of Directors 6/14/21