

DODGELAND SCHOOL DISTRICT
Board Policy Manual

533.1

CRIMINAL BACKGROUND CHECKS

Prior to the employment of any person with the Dodgeland School District, the administration shall conduct a criminal background check through the Wisconsin Department of Justice.

If a criminal background check reveals a conviction or pending charge which the candidate failed to disclose, or disclosed in an inaccurate or incomplete manner, as required on the district application form, the candidate shall be disqualified from consideration from employment. If the candidate is a current employee applying for a different position in the district, he/she may be considered for dismissal.

Any current District employee who has been charged with or convicted of a felony shall report that fact to the District Administrator without delay. Failure to make this report may result in disciplinary action, up to and including dismissal.

A determination whether to screen an applicant or employee for possible exclusion or other adverse employment action based on pending charges or a criminal conviction shall be made in consultation with legal counsel and shall be based on the circumstances. The District will consider the nature of the allegations or the crime/conduct, the time elapsed, and the nature of the job. Before an applicant or employee would be excluded from employment based on pending charges or a criminal conviction, the District will conduct an individualized assessment as follows:

1. The District will notify the individual that he/she has been identified for possible exclusion because of a felony conviction;
2. The District will offer the individual an opportunity to demonstrate that the exclusion should not be applied due to his/her particular circumstances; and
3. The District will consider whether the additional information provided by the individual, if any, warrants an exception to the proposed exclusion based upon a conclusion that applying the proposed exclusion under the specific circumstances would not reflect legitimate job-related concerns, or that applying the conclusion would be otherwise inconsistent with state or federal law. For example, state law prohibits an employer from denying employment to an individual based upon a pending charge or a misdemeanor conviction except where the circumstances of the charge/conviction are substantially related to the circumstances of the job.

The administration shall conduct criminal background checks prior to assigning volunteers to work at school or in school activities with students in accordance with Board policy.

LEGAL REF: Section 111.31 Wisconsin State Statute
 111.321
 111.335
 121.555(3)
 Child Protection Act of 1993
 42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act of 1964, as amended)

CROSS REF.: 221, Recruitment and Employment of Administrators
 353.1, School Volunteers
 511, Equal Opportunity Employment
 526, Personnel Records
 531, Licensure and Certification for Certified Professional Teaching Personnel
 533, Professional Staff Recruiting/Hiring
 543, Support Staff Recruiting/Hiring

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