

POLICY 4332
CRIMINAL BACKGROUND CHECKS

A criminal background check shall be conducted for all persons recommended for employment as administrators, teachers, other certified employees, substitute teachers, and all other non-certified employees, including but not limited to substitutes, service employees, educational assistants, secretarial/clerical staff, educational interpreters, carpenters/painters, part-time/temporary, advisors and coaching assignments.

Likewise, a criminal background check shall be conducted on any persons who have District approved access to children in supervised or unsupervised settings before they will be allowed to come in contact with students. This includes, but is not limited to, chaperones, volunteers, tutors, mentors and independent contractors. A background check may be conducted on board- or administration-appointed standing committee or ad-hoc committee members who may come into contact with students in supervised or unsupervised settings.

Information from criminal background checks will not be used or considered in making employment or volunteerism decisions unless a past conviction or circumstance giving rise to a pending charge is substantially related to the circumstances of the particular job/position applied for.

Under the principle of federal supremacy and in accordance with the provisions of federal law requirements, all applicants recommended for employment with federally funded Head Start positions shall be required to disclose information regarding all prior arrests, in addition to convictions and pending charges.

LEGAL REF.: 42 U.S.C. 9843A
 Wisconsin Statutes
 Sections 111.335 (Arrest or conviction record discrimination; exceptions and special cases)
 118.19 (Teacher licenses; limits on DPI issuance of license based on conviction record)

CROSS REF.: 2210 Recruiting and Hiring - Superintendent
 2211 Recruiting and Hiring - Administrative, Supervisory, and Technical Staff
 4110 Equal Employment Opportunity and Affirmative Action
 4260 Personnel Records
 4330 Staff Selection and Hiring Process
 4333 Chaperone Requirements & Expectations
 6530 Community Resources
 Employee Handbook

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: May 10, 1994

REVISED: June 27, 2000
 May 14, 2002
 July 23, 2002
 February 23, 2010
 March 22, 2016
 March 28, 2017

RULE 4332

CRIMINAL BACKGROUND CHECKS

1. The background check form will request permission for obtaining criminal record information.
2. Applicants for federally funded Head Start positions shall complete a separate form detailing all arrests, in addition to convictions and pending charges. If an applicant for a Head Start position discloses that they have been arrested or convicted of a crime, the Office of Human Resources will determine whether the nature of the offense or alleged offense precludes the applicant from serving in the position applied for. The Office of Human Resources will keep all arrest and conviction record information confidential to the extent authorized by law, and will not disclose this information to interview teams.
3. If an individual refuses to cooperate in fully completing the background check form or is found to have provided false, inaccurate or incomplete information on the form, the person will be disqualified from consideration for employment, chaperoning, volunteering, tutoring, mentoring, working as an independent contractor and serving on committees. Current employees found to have provided false, inaccurate or incomplete information on the form may be considered for dismissal.
4. Resources used for criminal background checks include but are not limited to the federal and tribal searches, state(s) of prior residence, multi-state searches, sex offender registries and other available sources as determined by the District. The District will pay for background checks as applicable.
5. Copies of results from background checks will be provided upon request. Persons requesting copies will reimburse the District for the cost of providing copies. Persons recommended for employment may attach a statement or explanation to the background check for inclusion in her/her personnel file.