

Applicants

All individuals applying for a position are required to file in writing, in advance of employment on forms provided by the District, a statement identifying whether the applicant:

- Has been convicted of a misdemeanor or felony in Wisconsin or any other state or country;
- Has any misdemeanor or felony charges pending against them in Wisconsin or any other state or country; and
- Has been dismissed or non-renewed, or has resigned from employment in-lieu-of a potential dismissal or non-renewal.

Additionally, all persons applying for any position shall be required to:

- Agree to the release of all investigative records to the designated district official for examination for the purpose of verifying the accuracy of criminal violation information; and
- Submit to criminal history records checks.

Employment will be offered pending the return and disposition of such background checks. All offers of employment are contingent upon the results of such checks.

Knowingly falsifying any of the preceding information shall be sufficient grounds for not being hired or for discharge.

If a job applicant has committed a crime that substantially relates to the circumstances of the particular position for which he/she is applying, the District may take that offense into consideration when deciding whether to employ the individual. The District may refuse to employ an individual who has been convicted of a felony and who has not been pardoned for that felony.

All Employees

All District employees shall notify their immediate supervisor or building principal as soon as possible, but no more than three (3) calendar days after any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the

employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. crimes involving school property or funds;
2. crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
3. crimes that occur wholly or in part on school property or at a school-sponsored activity;
4. a misdemeanor which involves moral turpitude [e.g. an act or behavior that gravely violates moral sentiments or accepted moral standards of the community]; or
5. a misdemeanor which violates the public trust.

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses, except as noted below. Failure to report under this policy may result in disciplinary action, up to and including termination. Such report shall be made as soon as possible, but in no circumstance more than three (3) calendar days after the event giving rise to the duty to report. The District may conduct criminal history and background checks on its employees. An arrest or indictment shall not be an automatic basis for an adverse employment action.

Conviction of a non-felonious crime shall not be an automatic basis for an adverse employment action. The District shall consider the following factors in determining what action, if any, should be taken against an employee who is convicted of a non-felonious crime during employment with the District:

1. the nature of the offense;
2. the date of the offense; and
3. the relationship between the offense and the position to which the employee is assigned.

For any employee who is convicted of a felony and has not been pardoned, the District shall have discretion to terminate that individual's employment or to

non-renew his/her contract.

Nothing in this policy shall prohibit the District from placing an employee on administrative leave or from suspending an employee based upon an arrest, indictment or conviction, or from terminating an employee who has been convicted of a felony and who has not been pardoned for that felony.

Employees Who Drive, Etc. for District

All employees who drive a District vehicle, operate mobile equipment, or receive a District travel allowance or mileage reimbursement must notify their immediate supervisors immediately of any driving citation or conviction of a traffic violation. Supervisors receiving such notice will immediately notify the District Administrator or his/her designee. Payment for any citations received while driving a District vehicle is the responsibility of the driver. The reporting provision applies to citations or convictions as a result of operating either a District vehicle or personal vehicle. The District may, in its sole discretion, remove the employee from driving responsibilities and/or discipline the employee, up to and including discharge, depending upon the severity of the traffic violation.

Legal References:

Wisconsin Statutes

- [Section 111.31](#) [fair employment and nondiscrimination] [Section 111.321](#)
[prohibited bases of employment discrimination]
- [Section 111.335](#) [arrest or conviction record; exceptions and special cases]
- [Section 115.31](#) [staff misconduct reporting to the state superintendent]
- [Section 121.555\(3\)](#) [criminal background check and driver record check requirements related to transporting students]
- [Section 973.25](#) [certificates of qualification for employment for individuals convicted of a crime]

Federal Law

[42 U.S.C. § 2000e et seq.](#) [Title VII of the Civil Rights Act of 1964, as amended – employment discrimination]

Adopted: 12/21/20