

POLICY TYPE: Human Resources

POLICY TITLE: Criminal Convictions

Responsible Administrator: Vice President of Human Resources

Location of Related Procedures: Office of Vice President of Human Resources

Applicants

When Madison Area Technical College (“Madison College”) learns that an applicant has been convicted of a criminal offense as a result of self-disclosure, a criminal background check, or through other means, Madison College will consider whether the circumstances of the crime substantially relate to the circumstances of the job applied for. The following factors will also be considered in evaluating employment:

- the seriousness of the crime;
- how much time has elapsed since the crime was committed;
- whether the crime involved violence to, or abuse of, another person;
- whether the crime involved a minor or a person of diminished capacity; and
- whether the applicant’s actions and conduct since the crime occurred are consistent with the holding of a position of public trust.

Any action taken by Madison College concerning a criminal conviction shall be in accord with Wisconsin Statutes §111.335.

Current Employees

When Madison College learns that a current employee has been convicted of a criminal offense either as a result of a criminal background check or through other means, Madison College will consider whether the circumstances of the crime substantially relate to the circumstances of the job held by the employee. The factors referenced above and the following factors will also be considered in evaluating continued employment:

- the nature and date of the offense;
- the employee’s employment history since the commission of the offense;

- if the offense was a felony and was committed when the employee was a minor, whether the employee was treated for purposes of prosecution as an adult; and
- if the employee has been pardoned, or if the sentence has been commuted or reversed on appeal.

Departmental management will consult with Human Resources to assess the criminal offense, its impact on the employee's job, and the need for administering any employment action. In advising the department, Human Resources will consult with counsel as appropriate. An action taken by Madison College concerning a criminal conviction shall be in accord under Section 111.335, Wisconsin Statutes.

Recordkeeping

Documents relating to criminal offense conviction assessment will be submitted to Human Resources for retention. Criminal history record information is regarded as confidential and will be released only consistent with applicable law.

June 2014