Criminal Background Check Policy and Procedures

Purpose

To ensure the University of Wisconsin – Madison is a safe and secure environment for all students, employees and visitors.

Policy

UW-Madison will comply with the Board of Regent policy that UW institutions conduct a criminal background check on all new employees (with limited exceptions).

Effective Date

December 1, 2007

Procedures

I. **Introduction** – The Board of Regents adopted a resolution on December 8, 2006 requiring the implementation of a UW System-wide criminal background check policy for new employees and current employees moving to positions of trust. The policy requires each institution to develop procedures for implementing the policy. This document comprises those procedures for UW-Madison.

II. **Relationship to Existing Legal Mandates** – There are state and federal laws and regulations that require criminal background checks in certain circumstances. The regent policy and these UW-Madison procedures do not replace these mandates. The most common mandates are listed below. There are other mandates that apply to a small number of very specific positions not listed here (e.g., police officers, nuclear reactor operators, commercial drivers).

   a. **Wisconsin Caregiver Law** – Wisconsin law requires criminal history background checks of persons responsible for the care, safety, and security of children and vulnerable adults. This mandate requires criminal background checks for licensed individuals, employees, prospective employees, and other specified persons affiliated with care giving entities or providers. Criminal convictions related to the harm of another human being are generally a bar from employment for positions within health care settings. Employers bound by this law need to not only check prospective employees but also check the criminal history of employees every four years. There is also an expectation that employees report any criminal activity when it occurs.

   b. **Select Agents** – The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 and the Agricultural Protection Act of 2002 require entities to register with the U.S. Department of Health and Human Services (HHS) or Agriculture (USDA) if they possess, use, or handle biological agents or toxins that could pose a severe threat to public health and safety; to animal or plant health; or animal or plant
products. As part of this “select agent” registration, these entities must have security measures in place including controlling access and screening personnel who are handling these select agent (i.e., security risk assessments must be done). These assessments require individuals handling the select agents to be screened by the FBI to determine security risk.

c. **Fiduciary Responsibilities** – Wisconsin law requires that when any state position involving fiduciary responsibility is to be filled, the employer must conduct a criminal history background check on the candidate before offering employment. This is defined by the state as positions where the principal duties (i.e., 50 percent or greater) are to:

1. Handle, receipt for, or have custody of money, checks or securities, or account for supplies or other property; authorize (or make appropriations for) expenditures; approve, certify, sign or countersign checks, drafts, warrants, vouchers, orders or other documents providing for the paying over or delivery of money, securities, supplies or other property, or serve process; or

2. Maintain or audit accounts of money, checks, securities, time records, supplies or other property, or take physical inventories of money, checks, securities, supplies or other property.

III. **UW Regent Policy Requirements for Hiring New Employees** – UW-Madison divisions will incorporate the following steps into their hiring process. This will apply to all vacancies except when hires are made in student hourly, employee-in-training, and LTE appointments; or when employees move from another UW campus or state agency. Also, if an individual is returning to the UW after less than a one-year absence, it is not required that a check be done. These exceptions, however, do not apply if the hiring occurs into a campus defined position of trust (see Section IV) or a criminal background check is required by law.

Note: the UW requirement to conduct criminal background checks does not apply to non-employee appointments such as Fellows, Postdoctoral Fellows and Research Assistants.

a. **Announcing a Vacancy** – All vacancy announcements (including ads) should contain the statement “Employment will require a criminal background check.” This statement will be included in the campus human resources systems (PVL and CHRIS) for insertion in all position materials.

b. **Offering a Position** – Divisions are expected to complete criminal background checks prior to making an offer of employment. If a check cannot be completed before an offer is made, the check must be completed before the individual begins employment unless an exception is granted by the appropriate dean or director. In any event, the criminal background check should be completed and a decision made no later than 60 days after the start of employment.

In most cases, only the finalist being offered the position will be checked. However, there may be circumstances where more than one applicant is checked (e.g., chancellor, dean, or provost search).
c. **Appointment Letters** – If a check cannot be completed before an offer is made, the appointment letter must state that the offer will be withdrawn or the employment terminated if the individual’s criminal background check results are unacceptable. The following statement must be used in the appointment letter.

“This offer of employment is conditional pending the results of a criminal background check. If the results are unacceptable, the offer will be withdrawn or, if you have started employment, your employment will be terminated”

d. **Applicant Consent** – Prior to conducting a criminal background check, divisions are required to have the finalist(s) either sign a consent form (see attached) or use the online HireRight consent process. If the individual declines to provide the consent for the check, he/she can no longer be considered a candidate for the vacancy.

IV. **Positions of Trust** – Positions with the following responsibilities require that a criminal background check be performed regardless of applicant or appointment type. This would include employees moving from other UW campuses or state agencies or candidates moving into position types exempted from the campus criminal background check policy. Also, these checks would be in addition to what is required by state and/or federal law.

a. **Vulnerable Populations** – Responsibilities require access to vulnerable populations e.g., UW students in UW housing facilities, patients, children (other than UW students who are minors or UW students in housing facilities). Examples of settings with children include day care centers and summer camps for minors. This category also includes employees who are not directly working in those units, but have unsupervised access to the unit when the vulnerable population is present.

b. **Property Access** - Responsibilities require the use of master keys/card access. This pertains to employees with key access to offices/worksites other than their own departmental worksite.

c. **Executive** - Responsibilities involve top level management functions throughout the campus including roles as Chancellor, Provost, Dean, Director, etc. Executive positions are defined as all limited appointments. This would include any movement from a limited appointment to a different limited appointment.

[See Attachment 1: Determining When a Criminal Background Check is Required]

V. **Conducting Criminal Background Checks** – Criminal background checks will be conducted and managed within the divisions. The following process and roles will be built into how criminal background checks are conducted and what actions are taken. For purposes of this policy and these procedures, “conviction” includes pleas of guilty and no contest.

a. **Background Check Coordinator (BCC)** – Each division will identify at least one professional employee with experience in human resources as the division’s Background Check Coordinator (BCC). This individual will be responsible for all activities involved
with the checks including determining the scope, conducting, making recommendations on results, and providing appropriate information to both employer and employee. A key component of this role involves keeping information confidential except on a need-to-know basis. Background Check Coordinators will be required to undergo initial and ongoing training. The Office of Human Resources and Administrative Legal Services will be responsible for providing the training.

b. Steps for Completing Check – The following process is required for performing a criminal background check. All costs associated with conducting the check will be incurred by the division.

1. **Securing Consent** - The hiring manager will provide a consent form to the finalist(s) indicating it needs to be completed and returned to the BCC along with a resume/vita/employment application if available. For those applicants with active e-mail accounts, the consent process can be completed online using HireRight* without the need for a signed consent form. The BCC should send an e-mail to the applicant informing him/her that HireRight, Inc. will be contacting them to complete the consent form and start the criminal background check process.

[See Attachment 2: Notification to Candidate of HireRight Contact when using HireRight Applicant Password/E-Consent.]

Divisions may also decide to get the applicant consent at the time of application depending on the type of recruitment. The completed consent form(s) should always be sent from the finalist(s) to the BCC without the hiring manager being involved. Both processes will require the applicant to self-disclose whether he or she has ever been convicted of a crime or is currently facing criminal charges.

The consent information will either be keyed into the HireRight* system manually or secured via the applicant online consent process.

[See Attachment 3: Consent Form – when not using HireRight Applicant Password/E-Consent.]

*HireRight* is a private vendor under contract with the Consortium of Institutional Cooperation (CIC) specializing in background checks for higher education. Each division will have an account set up by the Office of Human Resources (OHR). After the account is in place, the following link provides direct access to the product:

https://www.hireright.com/login.html

2. **Conducting a Social Security Number Validation and Trace** - The BCC will use the Social Security number validation and trace modules within HireRight. This will validate the applicant’s social security number and help
identify the scope of the check by identifying all the places within the United States the applicant has resided/worked. Also, other means can supplement the social security trace (resume/vita, applicant discussions, employment history, etc.) to help determine the scope.

If the social security number is not valid, the applicant will have three working days from the receipt of the notification to challenge the findings and then seven working days to resolve the matter with the Social Security Administration. If the matter is not resolved within the stated timeframe, the applicant will become ineligible for the position.

[See Attachment 4: Social Security Adverse Action Template – same template can be accessed via HireRight’s website]

- New employees who have recently arrived in the US on a non-immigrant visa (e.g., H-1, J, etc) or recently received a change in their visa status that permits them to work may not yet have a social security number at the time of hire. Since a validation/trace check is pointless without a social security number, the BCC should not conduct a social security trace/validation; see 3.B. below for instructions on conducting a criminal background check.

The social security number validation process will not be done for classified employees moving between positions within state service or for unclassified employees moving between positions within the university system.

3. Conducting the Criminal Background Check –

A. If the applicant has only resided/worked in Wisconsin, the BCC must conduct the check by utilizing the Wisconsin Department of Justice (DOJ) database, the Wisconsin Circuit Court Access System and the Wisconsin Sex Offender Registry. The DOJ check will provide information on arrests in Wisconsin if fingerprints were taken (Wisconsin requires fingerprints for all felonies and misdemeanors).

For information on how to implement the DOJ check and establish a division account, go to this link:

http://www.doj.state.wi.us/dles/cib/erimback.asp#Q10

To access the Wisconsin Circuit Court Access System, go to this link:

http://wcca.wicourts.gov
To access the Wisconsin Sex Offender Registry, go to this link:

http://offender.doc.state.wi.us/public/search/search.jsp

B. **If the applicant has resided/worked outside* of Wisconsin, a check will be conducted for those counties identified.** HireRight will be utilized to conduct this check which will include Wisconsin. The BCC is also required to use the Wisconsin Circuit Court Access System identified above if the applicant has resided and/or worked in Wisconsin. This will ensure all counties in Wisconsin are covered.

*When hiring applicants who have lived outside the U.S., a criminal history check must be conducted for areas within the U.S. if the period of time that the individual has been in the U.S. exceeds six months. A criminal background check in the individual's prior countries of residence will only be required if those countries provide criminal background information that can be accessed through HireRight. Media searches are not considered a criminal background search. The BCC should refer to the Hireright website to determine which countries can be checked.

Note: The social security trace conducted by HireRight will not find places of residence outside of the U.S. The BCC should use all available information to determine whether the individual has lived in other countries. Appropriate sources of this information include a resume or cv.

[See Attachment 5: Deciding Where to Start CBC flowchart]

4. **Non-Criminal Records** - In the course of using various databases to complete the background check, the BCC may learn of many actions that are irrelevant to the criminal background check. For example, the DOJ site may include arrests where the charges have been dropped. Another example, the Wisconsin Circuit Court Access site includes records of all matters that have come before the courts including civil suits filed by and against the individual. Such civil cases could include divorces and financial suits. Also included are criminal cases that have been dismissed.

It is imperative that no consideration be given to these matters and they not be communicated by the BCC in any way.

An exception exists for tickets or fines for traffic, rule or municipal ordinance violations. These are not crimes, but can be considered if the offense is substantially related to the job e.g., a DUI ticket (first offense) for an applicant for a position that requires driving.
VI. Making Determination Whether Criminal Record is Substantially Related to the Position – The existence of a conviction is not an automatic exclusion from employment. Wisconsin's Fair Employment Act prohibits employers from discriminating against prospective or current employees based on pending criminal charges or convictions unless the "pending criminal charge" or "conviction record" is determined to be "substantially" related to the "circumstances of the particular job." Arrests (other than pending) or detention orders that do not result in convictions or pleas and expunged convictions cannot be considered.

In reviewing the results of a criminal history background check on an individual applicant, the University will review each applicant on a case-by-case basis and consider the following factors in order to determine whether there is a substantial relationship between the pending charge or conviction and the position and whether the applicant should be further considered for the position:

The Offense. The nature, severity and intentionality of the offense(s) including but not limited to:

- The statutory elements of the offense (rather than the individual’s account of the facts of the offense);
- The individual’s age at the time of the offense(s);
- Number and type of offenses (felony, misdemeanor, traffic, other);
- Time elapsed since the last offense;
- The individual’s probation or parole status;
- Whether the circumstances arose out of an employment situation; and
- Whether there is a pattern of offenses.

The Position. The duties, responsibilities and circumstances of the position applied for, including but not limited to:

- The nature and scope of the position, including key access to residential facilities, key access to other facilities, access to cash and access to vulnerable populations, including minor children;
- The nature and scope of the position’s student, public or other interpersonal contact;
- The nature and scope of the position’s autonomy and discretionary authority;
- The nature and scope of supervision, including supervision received in the position and/or provided to subordinate staff;
- The sensitive nature of the data or records maintained or to which the position has access;
- The opportunity presented for the commission of additional offenses; and
- The extent to which acceptable job performance requires the trust and confidence of the employer, the University or the public.
The Individual. The prospective employee’s record of performance and behavior on other recent jobs.

The criminal background check policies and procedures do not change the usual decision-making authority for hires, which vary by division and by type of employee. For example, nothing in these policies and procedures usurps or diminishes an academic department’s existing authority in making faculty hiring decisions.

Once the criminal background check is completed, the BCC shall review the results and act as follows.

- If no criminal records are found, the BCC shall inform the person making the hiring decision that an offer may be made.

- If the check discloses a pending charge or conviction for a felony or misdemeanor, the unit BCC is required to consult with the Office of Human Resources (Classified Human Resources for classified employees or Academic Personnel Office for unclassified employees) to make an initial determination whether the criminal activity is substantially related to the functions of the position. This consultation must occur before any employment decision is made.

- If the conclusion is that there is no substantial relationship between the offenses and the position, the BCC will inform the person making the hiring decision that an offer may be made.

- If the conclusion is that there may be a substantial relationship between the offenses and the position, the BCC shall contact the person making the hiring decision to discuss the initial determination and inform him or her of the offenses. Based on this process a final decision will be made.

The BCC shall keep the background check results confidential except on a need-to-know basis.

VII. Applicant Notified of Results – If a decision is tentatively made not to hire an applicant (or to withdraw an offer) based on the results of the background check, the BCC will be responsible for notifying the applicant of the results of the check and providing an appeal process. The individual will have three working days from the receipt of the notification to challenge the findings and then seven working days to successfully resolve it. If the findings are upheld, the BCC will notify the individual of the non-selection. Although the federal Fair Credit Reporting Act (FCRA) requires this notification process if an outside vendor is used to conduct the checks, this notification process will be followed even if an outside vendor is not used.

[See Attachment 6: Adverse Action Template – same template can be accessed via HireRight’s website]
VIII. Keeping Records – Records gathered as a result of a criminal background check will be kept by the BCC in files segmented by the applicant name. These records will include:

- Consent Form
- Information collected from the check
- Analysis and decision if criminal activity substantially related to position
- Correspondence related to criminal background check

Alternatively, these records may be maintained in a secure university or vendor on-line database.

The records will be securely maintained for a period of seven years after the position has been filled. Records will be destroyed after seven years from the position being filled including the records of the applicant that was hired.

IX. Confidentiality – The BCC and the university will maintain the criminal background check records as confidential to the extent allowed by law. Although most records are obtained from public sources, the records may contain very sensitive information and BCCs are required to respect individuals’ privacy by only sharing any information obtained on a strict need-to-know basis.

As stated in section V above, no consideration should be given to non-criminal matters e.g., civil lawsuits and criminal cases in which the charges have been dropped or reduced to non-criminal matters.

BCCs will be required to sign a form acknowledging the university’s expectations of privacy.

X. Division Procedures – This campus policy should not prevent divisions from implementing their own criminal background check procedures that are specific to their environment. However, the division practice must meet the requirements of the campus policy and be approved by the chancellor or designee before being implemented.

Any questions related to this policy, including interpretations and resource locations, should be directed to the human resources representative within the college/school/division.

Attachments

Authority: Regent Policy #20-19, Resolution 9276, adopted 12/08/06

11/23/07 (2)
# Determining When a Criminal Background Check is Required

## New Employee
- Faculty, Academic Staff, Classified Permanent/Project, TA/PA or Limited
- Classified LTE, Student Hourly, Employee-in-Training (employment titles only)
- Non-employee Appointments (e.g., Fellows, Postdoctoral Fellows, Research Assistants, and Volunteers)

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Conduct CBC?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Staff, Classified Permanent/Project, Faculty, or Limited</td>
<td>Academic Staff, Classified Permanent/Project, E-I-T, Faculty, LTE, Student Hourly, TA/PA</td>
<td>NO*</td>
</tr>
<tr>
<td>Academic Staff, Classified Permanent/Project, Faculty, or Limited</td>
<td>Limited</td>
<td>YES</td>
</tr>
<tr>
<td>Classified LTE</td>
<td>LTE, Student Hourly</td>
<td>NO*</td>
</tr>
<tr>
<td>Classified LTE</td>
<td>Academic Staff, Classified Permanent/Project, E-I-T, Faculty, TA/PA</td>
<td>YES</td>
</tr>
<tr>
<td>Employee-in-Training (E-I-T)</td>
<td>E-I-T, LTE, Student Hourly</td>
<td>NO*</td>
</tr>
<tr>
<td>Employee-in-Training (E-I-T)</td>
<td>Academic Staff, Classified Permanent/Project, Faculty, TA/PA</td>
<td>YES</td>
</tr>
<tr>
<td>TA/PA</td>
<td>Academic Staff, Classified Permanent/Project, E-I-T, Faculty, LTE, Student Hourly, TA/PA</td>
<td>NO*</td>
</tr>
<tr>
<td>Student Hourly</td>
<td>LTE, Student Hourly, E-I-T</td>
<td>NO*</td>
</tr>
<tr>
<td>Student Hourly</td>
<td>Academic Staff, Classified Permanent/Project, Faculty, TA/PA</td>
<td>YES</td>
</tr>
</tbody>
</table>

## Internal Employee Movement (Within UW System, No Break in Service)

## External Employee Movement (move from State Agency, No Break in Service)

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Conduct CBC?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classified LTE</td>
<td>LTE, Student Hourly</td>
<td>NO*</td>
</tr>
<tr>
<td>Classified LTE</td>
<td>Academic Staff, Classified Permanent/Project, E-I-T, Faculty, TA/PA</td>
<td>YES</td>
</tr>
<tr>
<td>Classified Permanent or Project</td>
<td>Academic Staff, Classified Permanent/Project, E-I-T, Faculty, LTE, Student Hourly, TA/PA</td>
<td>NO*</td>
</tr>
<tr>
<td>Classified Permanent or Project</td>
<td>Limited</td>
<td>YES</td>
</tr>
</tbody>
</table>

* Unless new position requires a CBC by law or it is a position of trust. See table below if current employee movement is between positions requiring a CBC based on law or being identified as a position of trust.

## Movement Between Required CBC Positions

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Conduct CBC?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caregiver, Fiduciary, or Position of Trust</td>
<td>Caregiver, Fiduciary, or Position of Trust</td>
<td>YES</td>
</tr>
</tbody>
</table>

## Return to UW** after Break in Service (i.e., Appointment Ended)

<table>
<thead>
<tr>
<th>Circumstance of Return</th>
<th>Conduct CBC?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Returning to Campus - Absence Less Than 12 Months</td>
<td>NO***</td>
</tr>
<tr>
<td>Returning to Campus - Absence 12 Months or more</td>
<td>YES</td>
</tr>
</tbody>
</table>

**Candidate from outside the UW exercising reinstatement eligibility or restoration rights is subject to a CBC

***Unless position requires a CBC by law or it is a position of trust and the individual did not have a CBC completed in the last appointment.

Template: Notification to Candidate of HireRight Contact

Dear Jane Doe,

The [school/college/division] has [choose one: 1) identified you as a finalist; 2) selected you; 3) hired you] for the [title] position in [department name]. The University of Wisconsin’s Board of Regents requires that a criminal background check be conducted on all new appointments. This requirement was implemented to safeguard the campus community for students and employees.

To begin the criminal background check process, you will receive an e-mail from HireRight Inc., a vendor used by the University to conduct the check. Please watch for it. This correspondence will ask you to go to a website so you can electronically consent to the check and insert information that will allow for the check to be completed. You will also need to enter any past name(s) you have had over the last seven years.

The University of Wisconsin strictly adheres to Wisconsin’s Fair Employment Act, which prohibits employers from discriminating against job applicants based on criminal convictions or pending charges unless there is a substantial relationship between the criminal activity and the responsibilities of the position.

If you have any questions, please contact me.

Thank you for cooperating with this requirement.
Authorization to Release Criminal Information for Employment Purposes

**Note:** The position for which you are being considered requires candidates be subject to a criminal background check as a condition of employment. This check includes a review of any pending charges or convictions. The Wisconsin Fair Employment Act prevents employers from disqualifying applicants based on criminal history unless the position for which the applicant applied has job responsibilities that are substantially related to the applicant’s criminal history.

I authorize UW-Madison to conduct a criminal background check. In connection with this consent, I authorize the use of law enforcement agencies and/or private background check organizations to assist UW-Madison in collecting this information. HireRight, Inc. has been secured as a third party vendor (consumer reporting agency) to assist UW-Madison in collecting and verifying information.

I am aware that the information requested below regarding sex and date of birth is for the sole purpose of accurately gathering the information needed for the criminal background check and will not be used to unlawfully discriminate against me.

I also am aware that records of arrests on pending charges and/or convictions are not an absolute bar to employment. Such information will be used to determine if there is a substantial relationship between the circumstances of the arrest and/or conviction and the position for which I am being considered.

Position(s):  

UW-Madison Unit/Department:  

Please print (for identification purposes):

Full Legal Name:  

First Middle Last  

Other Names You Have Used in Past Seven Years:  

Current Address:  

Previous Address (most recent):  

Phone Number:  

Alternate Phone Number (cell)  

Date of Birth:  

Month/Day/Year  

Gender:  

Female  

Male  

Social Security Number:  

Have you ever been convicted of a criminal* offense or have any pending criminal* charges against you?  

* This refers only to felonies and misdemeanors; you do not need to include non-criminal traffic violations or municipal ordinance violations.

Yes ___ (provide details on next page)  No ___

To the best of my knowledge, the information provided on this page and the next is true and complete. I understand that any falsification or omission of information may disqualify me for this position.

_________________________  

Signature  

_________________________  

Date
Authorization to Release Criminal Information for Employment Purposes

Nature and Date(s) of Conviction(s) and/or Pending Charge(s):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Name and Location of the Court or Jurisdiction for the items listed above:

________________________________________________________________________
________________________________________________________________________

Only return this completed form to:

Jane Doe, Criminal Background Check Coordinator
UW-Madison
College of Widgets
Office of Human Resources
Madison, WI 53707

California, Minnesota or Oklahoma applicants only – You will be provided with a free copy of any consumer reports or investigative consumer reports obtained on you if you check the box below.

□ I wish to receive a free copy of the report.

12/01/07
SS # Discrepancy Adverse - HireRight - Template

December 1, 2007

Ms. John Smith
2530 Burrows Hill
Madison, WI 53071

Dear Ms. Smith,

As we recently informed you, the University of Wisconsin performs a criminal background check as part of the employment process. To ensure an accurate criminal background check is conducted, your social security number first is validated.

This is to advise you that we could not validate your social security number. When we attempted the validation, there was a discrepancy. We will not be able to proceed with considering your application for employment based on this discrepancy.

If you believe there has been an error in this matter, you have three working days from the date you received this letter to submit a written appeal to me. If you decide to challenge, you will then have seven days to successfully resolve this issue with the Social Security Administration. You can contact the Social Security Administration at 1-800-772-1213 (toll free) or (608) 833-1607 (local Madison office).

You will not be considered for this position unless this matter is resolved.

Please contact me at xxx-xxxx if you have additional questions.

Regards,

Jane Doe, Criminal Background Check Coordinator
College of Widgets
University of Wisconsin – Madison

xc: Office of Human Resources

11/23/07
Deciding Where to Start with the CBC

Has the person lived or worked in the US outside of Wisconsin?

No, or Not likely, or Don't know

Conduct SS# validation & trace through HireRight

Did it show that person lived outside WI in US

Search
- DOJ
- CCAP
- WI Sex Offender Registry

YES

Conduct National search through HireRight and State search through Wisconsin’s Circuit Court Access System

NO
December 1, 2007

Ms. John Smith
2530 Burrows Hill
Madison, WI 53071

Dear Ms. Smith,

As part of our employment selection process for the XXXXXX position, you were subject to a criminal background check. The results of this check are attached.

This is to advise you that you are not eligible for this position at UW-Madison as a result of your criminal background check. Pursuant to the Wisconsin Fair Employment Act, employment may be denied if an applicant’s criminal conviction record and/or pending criminal charges are substantially related to the circumstances of the particular job for which the applicant applied. We have determined there is a substantial relationship between your reported criminal activity and the position for which you were being considered.

If you believe the results of the background check are not accurate and/or you would like to challenge our determination, you have three working days to file an appeal. An appeal must be in writing stating the basis of the appeal. You will then have an additional seven working days to resolve any inaccuracies you allege are contained in the criminal record.

Please contact me at xxx-xxxx if you have additional questions.

Regards,

Jane Doe, Criminal Background Check Coordinator
College of Widgets
University of Wisconsin - Madison

xc: Office of Human Resources