

522.3-RULE EMPLOYEE MISCONDUCT REPORTING PROCEDURES

A licensed employee shall be reported to the State Superintendent of Public Instruction if he/she:

1. has been charged with a crime against children, a felony with a maximum prison term of at least five years or a crime in which the victim was a child;
2. has been convicted of a crime described in (1) or of fourth degree sexual assault;
3. has been dismissed by the District, or his/her contract is not renewed, based in whole or in part on evidence that the employee engaged in immoral conduct. For purposes of state law, "immoral conduct" means conduct or behavior that is contrary to commonly accepted moral or ethical standards and that endangers the health, safety, welfare or education of any student and includes the intentional use of District equipment to download, view, solicit, seek, display, or distribute pornographic material; assisting a school employee, contractor, or agent to obtain a new job in a school or with a local educational agency if the individual knows or has a reasonable suspicion to believe that the school employee, contractor, or agent committed a sex offense and the victim was a minor or a pupil. It is not immoral conduct if any of the following apply: a) the assistance is the transmittal of administrative or personnel files; b) the information the individual knows or that is the basis of the individual's suspicion has been properly reported to law enforcement and law enforcement has closed any resulting case or investigation without a conviction; or
4. has resigned and the Superintendent (or Board President if applicable) has reasonable suspicion that the resignation relates to the employee having engaged in immoral conduct. If the employee has been requested to resign by the superintendent, and immoral conduct is suspected, the superintendent will inform the employee that he/she has a duty to report the resignation to the State Superintendent.

Any non-licensed school district employee who is convicted of a crime described in item (1) above or of fourth degree sexual assault shall be reported to the State Superintendent.

Reports will be made within 15 days after the Superintendent (or Board President if applicable) becomes aware of the charge, conviction, dismissal, non-renewal or resignation. When a report is made to the State Superintendent, the report must include a complete copy of the licensed employee's personnel file and all records related to any investigation of the licensee conducted by or on behalf of the District. The employee who is the subject of a report will be given a copy of the report.

LEGAL REF.: Section 115.31 Wisconsin Statutes

CROSS REF.: 522.3 – Employee Misconduct Reporting

APPROVED: January 14, 2002
November 12, 2018