

Background Checks of Contractor Employees Can Help Keep Your Students Safe

A few years ago in Minnesota, an employee of a trade contractor committed a sex crime involving a student. The subsequent investigation of this crime found that the employee was a convicted sex offender. The employee was in the school around students for long periods of time working with no supervision.

Most schools in Wisconsin are doing background checks on employees, volunteers and for contract employees that have regular contact with children (bus drivers, food service etc.) What about other contractors that are in your building that could have unsupervised access to children? Your contractors could include, plumbers, electricians, other building contractors, your insurance loss control staff, accountants and many others.

Your district should be requiring that these employers run criminal background checks on these employees and those convicted of any crime substantially related to working in a school should not be deployed at your school district.

Here is language used by one of M3's customers. We must sign this form as a contractor for the school district:

Contractor must provide a criminal background check and will not select employees to provide services to the district who have criminal convictions that are substantially related to the job, giving consideration to the intended provision of services to the district.

Bob Butler from the WASB was kind enough to provide me the following language:

Option 1:

Each participating organization and the District shall conduct criminal background checks on all employees, agents and volunteers participating and providing service on site at the District and provide a copy of same to the District upon the District's request.

District reserves the right, in its sole judgment, to require the removal from the premises of any employee, agent or volunteer of a participating organization who in the District's determination is not suited by personality, temperament or other grounds to be on the school premises.



Option 2:

Contractor will run a criminal background search on each employee providing services to Client. The Client and Contractor have agreed that the criminal background check requirement will be satisfied by Contractor running a "Level 3" background check which includes a criminal, felony, and misdemeanor check in an employee's County of Resident and Count of last employment, a Social Security number trace, and a motor vehicle check if employee is required to drive as part of the employee's job description. The Client will be informed of any employees with a criminal history and may reject or remove the employee in compliance with the terms set forth in section ___ above.

It is good risk management practice to make sure that contractors you hire are not bringing employees who may pose a threat to your students and employees into your schools. You should require that they are conducting background checks on their employees and that your school district has the ultimate right to decide who is allowed on school grounds.

This is not legal advice and any contract you write should be reviewed by your legal counsel.

