



OFFICE OF THE ADJUTANT GENERAL

## State of Wisconsin / DEPARTMENT OF MILITARY AFFAIRS

**Title: Background Checks**

**Policy Number: DEPT 3109**

**Owner: State Human Resources**

**Effective Date: 05/20/2025**

**Revision Date:**

### I. Purpose

The Department of Military Affairs (DMA) strives to have a safe and secure environment by proper vetting and compliance with applicable policies and regulations. This document outlines DMA's background check policy and procedures.

### II. Scope

The provisions of this policy are applicable to job applicants and employees at the DMA. It also applies to volunteer opportunities with DMA, including the Challenge Academy program.

### III. Definitions

**Criminal History Record Information (CHRI):** Information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release.

### IV. Policy

It is the policy of DMA to have State Human Resources (SHR) and the Provost Marshal Office (PMO) partner to conduct comprehensive background checks for job applicants, employees who meet the criteria in Section V.A.2. below, and applicants for volunteer opportunities with DMA, including the Challenge Academy program.

For applicants for employment and current employees, information is reviewed to determine whether there is any substantial relationship between the circumstances of the conviction and the position and whether the individual can have unescorted access to DMA facilities. For volunteer applicants, the information is reviewed to determine whether the individual is barred from pursuing volunteer opportunities.

Depending on the purpose of a background check, the check may include review of criminal or ordinance violations, convictions, fines, forfeitures, pending charges (including traffic and DNR charges), expunged offenses, traffic violations, state and national sex offender registry, and civil proceedings.

## A. Maintaining Records

Records gathered as a result of a background check, as well as any CHRI, will be securely maintained electronically by SHR, until destroyed in accordance with the relevant General Records Schedule or DMA record disposition authorization. Records will be accessed by SHR and DMA Legal only as needed or as required by applicable law. Background check records are kept separate from individual personnel files.

## B. Authorized Users and Devices

SHR will ensure that all personnel who have access to CHRI will receive security awareness training within six months of initial assignment and every two years thereafter. In addition, employees who view and/or conduct background checks are required to sign a confidentiality agreement. An annual review is completed by SHR to ensure compliance with these requirements.

The use of personally owned or publicly accessible devices for accessing, processing, storing, or transmitting CHRI is strictly prohibited. All access must occur on DMA approved and secured devices.

## C. Misuse of CHRI

Using CHRI for any purpose other than what is allowed by state statute or federal code is considered misuse. Misuse of CHRI may result in loss of access to CHRI and may also result in discipline, loss of employment, and/or criminal prosecution.

In the event there is intentional misuse of CHRI, the following steps will be taken:

- Any suspected or confirmed misuse violation must be reported to the Human Resources Director.
- A formal investigation will be conducted to determine the extent of the misuse.
- Notification will be made to the Wisconsin Department of Justice.
- If misuse is confirmed, appropriate action will be taken, which may include revocation of access, legal action, termination and suspension or other disciplinary action, as applicable.
- Additional training or policy updates may be implemented to prevent future misuse.

## V. **Procedures**

### A. Filling a Vacancy

#### 1. Job Announcements

Job announcements will indicate that in order to gain access to DMA facilities or air bases, and to determine whether the circumstances of any conviction may be related to the job being filled, DMA will conduct a comprehensive background check which may include a fingerprint-based background check.

## 2. Conducting Background Checks

Once a top candidate has been identified through the recruiting process, a name-based background check will be conducted. The candidate will not be made an offer of employment unless the background check is deemed satisfactory.

In addition to a name-based background check, a fingerprint-based background check will also be completed on the top candidate for positions at the Challenge Academy due to regular contact with children under 18 years of age in a Department of Defense (DoD) child development and youth program.

When a current DMA employee is 1) moving to a position which has significantly different duties than their current position, 2) is moving to a different geographic location 3) is promoting, 4) is moving from a limited term position to a permanent or project position, or 5) is moving from a project position to a permanent position, a name-based background check will be conducted before an offer of employment is extended. For these types of movements, subsequent fingerprint-based background checks may be run, based on SHR discretion.

### B. Volunteers at the Challenge Academy

Due to volunteers having regular contact with children under 18 years of age in a Department of Defense (DoD) child development and youth program such as the Challenge Academy, both name-based and fingerprint-based background checks will be completed and cleared prior to being allowed unescorted access.

### C. Rechecks

Name-based and fingerprint-based background checks will be repeated at least once every five years for all individuals working or volunteering at the Challenge Academy.

Name-based background checks are repeated with the renewal of a Single Source Identification Badge (Access Card).

---

### D. Common Access Cards

For positions that require a Common Access Card (CAC), authorized personnel will conduct background checks independent from this policy.

---

## E. Obtaining Records

---

DMA will not share background check record results with those outside of SHR and DMA Legal. Supervisors will only be informed of the action to be taken based on the result of the background check, except that the Director of the Challenge Academy may be given additional information.

Individuals can review or obtain their personal records at:

- Wisconsin Circuit Court Access <http://wcca.wicourts.gov>
  - Wisconsin Department of Transportation <https://wisconsindot.gov/pages/online-srvcs/other-srvcs/request-record.aspx>
  - Wisconsin Department of Justice, Wisconsin Online Record Check System <https://recordcheck.doj.wi.gov>
- 

## VI. **Authority and Cross Reference**

[U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services \(CJIS\) Security Policy](#)

[Department of Defense, National Guard Bureau CNGBM 9350.01, National Guard Youth Challenge Program](#)

[Department of Defense, Manual 1402.05, Background Checks on Individuals in Department of Defense Child Development and Youth Programs](#)

[Department of Defense, Manual 4500.36, Acquisition, Management, and Use of DoD Non-Tactical Vehicles](#)

[Wis. Stats. Chapter 111, Employment Relations](#)

[Department of Administration, Fleet Driver and Management Policies and Procedures Manual](#)

[Wisconsin Human Resources Handbook, Chapter 246, Verifying Applicant Information and Securing Applicant Background Checks](#)

[Wisconsin National Guard Regulation, 525-1, Protection](#)

[Department of Military Affairs, Policy 7.105, Common Access Cards](#)

[Wisconsin Circuit Court Access](#)

[Wisconsin Department of Transportation, Driving Record Requests](#)

[Wisconsin Department of Justice, Wisconsin Online Record Check System](#)

Wisconsin Department of Justice, Security Awareness Training, Non-Criminal Justice Agencies

## **VII. Associated Forms**

[Applicant Consent for Background Check](#)

[Confidentiality Agreement](#)

[Offboarding, Recruiting, and New Hire Process Checklist](#)

## **VIII. Administrative Reference**

This policy was created in May 2025. This policy replaces the Memorandum for Federal and State Supervisors and Program Managers regarding State Employee Background Check Procedures dated August 26, 2016.