

## **Doran lied on past in RCSD application**

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James Doran, the special education teacher whom the Rochester City School District hired despite a previous conviction of battery of a child in a Nevada classroom, gave some false information on his RCSD job application but did disclose his two recent criminal convictions.

At the same time, the district failed to conduct even a cursory investigation into his past despite clear red flags, instead relying entirely on a state background check system not designed to catch situations like Doran's.

Doran applied for the job in Rochester in May 2018, two years after pleading no contest to one count of misdemeanor battery in relation to several alleged incidents at his previous teaching job in Las Vegas. Police and several families said he slapped, kicked and threw down students in his special education classroom.

His job application, obtained from RCSD via a Freedom of Information request, sheds some light on how Doran managed to get hired despite that troubling background.

After his 2015 arrest, the Clark County School District suspended Doran without pay and barred him from school property, a spokeswoman said then. Minutes from the Clark County Board of Trustees July 2016 meeting show that Doran, who did not have tenure, was then officially dismissed.

On his RCSD application, though, Doran gave his reason for leaving Las Vegas as: "left to move back to my hometown: Syracuse, NY."

He also answered "no" to the question: "Have you ever failed to be rehired, been asked to resign a position, resigned to avoid termination, or (been) terminated from employment?"

Doran did disclose two criminal convictions. One, he said, was "simple misdemeanor battery," to which he had pleaded no contest on his lawyer's advice. "The case is now closed, and is set to be expunged and sealed by the summer," he wrote.

The court paperwork related to that conviction does not mention any promise of expunging or sealing the record. It does show he did 86 hours of community service, underwent impulse control counseling and abided by an order to stay away from all schools.

His attorney for that case, Gregory Knapp, said the record would indeed have been sealed if not for a subsequent misdemeanor conviction for driving under the influence in August 2016.

By the time Doran submitted his application in May 2018, neither of his convictions were scheduled for imminent sealing or expungement, though Knapp said that Doran probably did not realize that.

Doran did not respond to a request for comment.

At a news conference announcing Doran's resignation, Chief of Human Resources Director Harry Kennedy said it knew about "an incident" in Nevada because Doran had disclosed it on his application.

At the same time, Kennedy sought to shift the blame onto the state Education Department, which cleared Doran for employment in June 2018. That state clearance process, he said, is essentially the full extent of the background checking the district does on its new hires.

An RCSD spokesman confirmed Friday the district knew nothing about Doran's situation beyond what he disclosed on his application. A simple Google search or a call to his listed references at the Clark County School

District would have given more context behind the bare fact of the convictions.

Doran was first certified to teach in New York in 2013, at which point he would have been fingerprinted and subjected to a criminal background check. He received an additional certification for special education in April 2018.

According to state education law, if someone applies for certification and has already completed fingerprinting and a criminal background check, the state Education Department reviews the initial file again and checks for new convictions in New York state, but does not check again for potential convictions elsewhere in the country. That explains why Doran's 2016 convictions went unnoticed by the state — though he had disclosed them directly to the district.

The Clark County School District ended up settling a civil lawsuit regarding Doran's actions for \$1.2 million. He resigned from RCSD the day after a *Democrat and Chronicle* report on his hiring, though the district insisted it was for an unrelated matter.

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**Doran**