

POLICY NO. 623

*Original signature on file in
Administration and Finance*

Area: Human Resources

Certified By: _____

Date Adopted: June 21, 2019

Dr. Cynthia Jackson-Hammond

President, Central State University

Revision Date: _____

Subject: EMPLOYMENT BACKGROUND CHECK POLICY

Purpose

To preserve the safety and security of the campus community and to maintain the integrity of University operations, it is the policy of Central State University to conduct pre-employment background checks to assist hiring managers in making prudent employment decisions based upon comprehensive job-related information. Additionally, background checks on existing employees may be conducted in accordance with the circumstances described below.

Policy

The University will conduct background checks on all newly hired employees and new volunteers. All candidates for full-time, part-time, and temporary assignments with the University, and all volunteers, must authorize the background check as part of the application packet. An offer of employment or volunteer opportunity is contingent upon verifying the accuracy of the information provided by the candidate and the background check results will determine his/her suitability for employment or volunteer opportunity with the University. This same process applies to former employees who are rehired after a separation of two (2) years or more, or individuals returning to volunteer after a break of two (2) or more years.

Background checks will include searches of criminal records, social security number, and sex offender registry in every instance. The hiring department will retain its obligation to perform reference and employment history checks or obtain copies of degrees, transcripts, licenses, or certificates required for a specific position.

Individual departments may require additional checks relevant to the duties of specific positions. For example, a position with driving responsibilities may warrant a motor vehicle history check; a position in finance, accounting, and/or requiring access to University accounts and funds may warrant a credit check. Department specific background check criteria must be in writing and approved by the Director of Human Resources.

The authorization signed at the time of hire also authorizes the University to obtain additional background checks during employment, upon notification to the employee, under circumstances such as:

- Whenever the University learns that an employee is charged with or convicted of a crime (except for isolated and minor vehicle violations); and

- When an existing employee transfers into a lateral position, or is promoted, where additional information not needed in the original background check is now needed due to new responsibilities.

All background checks are conducted by a third-party service provider (or “vendor”). The University complies with all applicable federal and state laws, including but not limited to the Fair Credit Reporting Act.

Background Check Reports

The vendor forwards the background check report to Human Resources. The vendor also informs the candidate or existing employee of the results, provides the candidate/employee the opportunity to review the report, and informs the candidate/employee of his/her rights under the Fair Credit Reporting Act.

- If the results are satisfactory, Human Resources finalizes the hiring (or lateral/promotion) process.
- If the results are unsatisfactory, Human Resources will consult the Director of Human Resources, the Vice President for Finance and Administration, the Provost, and/or the Office of General Counsel, as appropriate, to determine the course of action.
 - The candidate/employee will be notified of potential adverse action on the hiring or lateral transfer/promotion decision, and will be given an opportunity to challenge any misinformation in the report.
 - Additional consultation with the candidate/employee may also take place at this time.
 - A final decision will be made at the conclusion of this process and the candidate/employee will be notified of the decision in writing.

Individualized Analysis of Candidate/Employee

Upon receiving unfavorable criminal conviction information in a report, the University will consider each candidate/employee on an individual, case by case basis in making hiring decisions for candidates or transfer/promotion decisions for employees. In doing so, the University will consider the following factors. The factors have no assigned weight and are not in any particular order:

- The facts or circumstances surrounding the offense;
- The number of offenses for which the individual was convicted;
- Patterns exhibited pertaining to lack of exercising good judgment;
- Age at the time of conviction, or release from prison;
- Evidence that the individual performed the same type of work, post-conviction, with the same or a different employer, with no known incidents of criminal conduct;
- The length and consistency of employment history before and after the offense or conduct;
- Rehabilitation efforts, e.g., education/training;
- Employment or character references and any other information regarding fitness for the particular position;
- Whether the individual is bonded under a federal, state, or local bonding program;
- The job duties, including exposure to co-workers, students and the public, of the new position;
- Whether the job requires independent judgment or is more closely supervised; and
- Whether the position requires the employee to drive (or travel) during the course of employment, including driving other employees or students.