

BACKGROUND CHECKS PROCEDURES

A. PURPOSE

The purpose of this document is to establish procedures/guidelines to be followed as part of the hiring process for University staff employees. It is important that the University's academic and research missions are supported by qualified employees, with a safe and secure environment for all University constituents, including students, visitors and employees. It is also important that the University take meaningful actions to protect its funds, property and other assets. This will be assisted by:

- Verifying the credentials of qualified candidates for employment;
- Performing criminal history checks;
- Performing license verification; and
- Verifying credit history on certain identified employees as required.

B. SCOPE

This procedure is intended to support the verification of certain credentials and criminal and other background information related to employment decisions that assist the University in the hiring process.

This applies to faculty, staff, graduate assistants and student employees to include:

- New hires for regular full or part-time positions (exempt, non-exempt professional and non-exempt),
- Students within certain areas necessitating heightened security,
- Current employees changing positions to an area that requires background checks, license or credit history verification,
- Employees of grants or auxiliary funds.

Duration of Validity: Faculty and Graduate Assistant criminal background checks shall be considered valid for up to 36 consecutive months of non-ISU employment.

C. STATEMENT OF GENERAL PROCEDURE

Indiana State University will conduct county and national criminal history checks, on all new hires as a condition of employment. Additional checks, such as education and certifications verifications, and credit history checks, may be required based upon job responsibilities. Current staff applying for other positions within the university could be subject to background checks. Faculty who apply for full-time administrative positions at the level of Dean or higher will be subject to background checks as appropriate to the position. Criminal Conviction information will not be used to discriminate against applicants. Disclosure or discovery of a criminal conviction shall not automatically disqualify an individual from employment consideration, transfer or promotion at Indiana State University. After an offer of employment has been extended, the candidate must complete and consent to a background check. Refusal to consent to a background check may eliminate a candidate from further consideration for employment. The University will provide candidates access to a copy of their background check report upon request, regardless of outcome and without charge to the candidate.

D. DEFINITIONS

1. Applicant – A person who seeks to work at the University by completing the application process for an open position, and may or may not meet the minimum qualifications for the position being advertised.
2. Candidate - An individual who is deemed to meet the requirements for a specific vacancy, either by applying or by accepting a nomination.
3. Credit History Check – Checking of the credit history of the selected candidate or employee. (Federal laws prohibit discrimination against an applicant or employee as a result of bankruptcy.)
4. Criminal History Check – Verification of each selected candidate’s record of criminal convictions to ensure that all adult convictions are disclosed.
5. Educational Verification – Verification of each candidate’s educational verification to ensure they possess all educational credentials identified by the candidates and required for the position.
6. Employee – Any person employed by Indiana State University, the Indiana State University Foundation or any of the University’s auxiliaries, whether full or part – time.
7. Employment Verification – Verification of each candidate’s employment history as listed on the employment application, resume, and cover letter or otherwise cited by the candidate. This verification will include dates of employment and reasons for leaving each position.
8. License Verification – Verification of all licenses listed by the candidate on the application, resume, and cover letter or otherwise – cited by the candidate that would qualify the individual for the position sought, including possession of the appropriate class of driver license where that is required for the position.
9. Sex and Violent Offender Registry Check – Verification that the selected candidate has no undisclosed convictions of sex and/or violent crimes that may be recorded in any registry where the candidate currently resides or has resided.

E. PROCEDURES

1. Hiring Department Responsibilities:
 - Conduct employment verification on the selected candidate.
 - Conduct educational verification on the selected candidate, as applicable.
 - Conduct license verification on the selected candidate. It is responsibility of the hiring department to ensure that applicable licenses are maintained in valid status during the tenure of the candidate’s employment, as applicable.
 - Perform reference checks on the selected candidate(s).
2. Human Resource Office Responsibilities:
 - Determine the nature of the required background checks for a given position.
 - Obtain the candidate’s information to conduct a background check required for the position. This information is provided to a third party vendor with which the University has contracted for the purpose of performing background checks.
 - Criminal background check should be completed before start of employment. In the event a background check cannot be completed prior to start of employment, such offer shall be contingent upon acceptable results from the background check. The verification should normally be completed within five (5) working days of making the conditional offer.

- The following statement shall be included in all offers of employment made prior to the completion of a criminal background check from HR, “This offer is contingent on the University’s verification of credentials and other information required by University policy, as well as state and federal law, included, but not limited to, the completion of a criminal history check.”
- Criminal history checks must be done in compliance with American with Disabilities Act, Equal Employment Opportunity and the Fair Credit Reporting Act.
- If a candidate disclosed a criminal history and the hiring manager is still interested in considering the candidate or if a criminal history has been discovered and where the candidate is a finalist for the position, then Human Resources will consult with the Department of Public Safety and/or the appropriate Senior Leader. The University will consider the nature and seriousness of the offense, the nature of the position, and the length of time since the conviction.
- If unreported convictions are revealed in the criminal history check, the offer of employment will be withdrawn and, if employed, the individual will be separated from employment, unless the individual can demonstrate that the report is in error. If there is intentional falsification by the candidate by failing to disclose the criminal history then there is no appeal. The decision to reject or terminate an individual with an unreported conviction is solely at the discretion of Indiana State University.
- Notify the Department of Public Safety in cases where a criminal history check reveals an active arrest warrant.
- Notify the Hiring Department regarding the candidate’s eligibility for employment/transfer.
- Maintain all results of background checks, including criminal history checks in secure electronic format.
- In cases where information in the Background Check report will result in an adverse hiring decision, the University will provide a copy of the report to the Candidate without their request. Cases in which information in a Consumer Report will result in an adverse employment decision, the University will provide the Candidate with all required notifications pursuant to the Fair Credit Reporting Act.

F. TRANSFER APPLICANTS

Individuals currently employed by Indiana State University who apply for transfers or promotion to positions where criminal history checks are required and who are rejected for the position due to a prior criminal record, shall not be terminated from their current position solely due to the discovery of such a record. The University will consider the nature and seriousness of the offense, the nature of the position, and the length of time since the conviction.

G. APPEALS

An appeal of a decision to withdraw an offer of employment may be made in writing by the candidate to Human Resources. The appeal must contain information relevant to the validity of the convictions obtained from the criminal history check. This appeal will be forwarded to the appropriate Senior Leader whose decisions will be final.

H. OUTSIDE VENDORS AND CONTRACTORS

Language requiring vendors and contractors to conduct background checks on all employees assigned to Indiana State University shall be included in all contracts signed with such vendors or contractors.

I. EFFECTIVE DATE

The effective date for implementation of the Staff Background Check was July 1, 2007 with Revisions effective as of October 2, 2012 and March 7, 2023.

The effective date for implementation of the Faculty & Graduate Assistant Background Check was February 2008 with Revisions effective as of October 2, 2012 and March 7, 2023.