

NEW RIVER COMMUNITY AND TECHNICAL COLLEGE

PROCEDURE NO. 23

TITLE: Background Screening Procedure

EFFECTIVE DATE: January 15, 2013

PROCEDURE

1. PURPOSE

To provide a formal procedure for background screening of candidates for full-time faculty, classified and non-classified positions.

2. SCOPE AND APPLICABILITY

This procedure applies to all final candidates for full-time employment.

3. DEFINITIONS

- A. Background screening-the process of acquiring and verifying employment, academic, and criminal history records on final candidates to determine suitability for employment at New River.
- B. Criminal conviction-a person found guilty, entering a guilty plea or pleading no contest to a felony, misdemeanor, and/or ordinance violation other than a minor traffic violation.
- C. Fair Credit Reporting Act-federal law that regulates collections, dissemination, and use of consumer credit information.
- D. Final candidate-applicant identified as the finalist for a vacant or newly created position.
- E. Hiring official or designee-individual authorized to commit budget resources and extend a job offer to a final candidate.

4. PROCEDURES

- A. Authorization for Background Screening
 - i. New River Community and Technical College uses an external third party vendor to perform background screenings on final candidates.
 - ii. Prior to the College authorizing a background screening, the final candidate must sign a disclosure form. By signing this form, the candidate authorizes the College to conduct a pre-employment background screening. Failure to sign the form precludes the candidate from further consideration.
 - iii. The Office of Human Resources is responsible for activities related to background screenings, including determining the scope of the

background screening, referring requests for background screenings to a third party vendor, and making recommendations to hiring officials on results. If questions arise about the finalist's background screening, the final decision is rendered by the College President or designee.

B. Conducting Background Screenings

- i. The College conducts background screenings only on a candidate to whom the hiring official has extended a job offer. Background screenings generally include:
 - a. Social security number traces
 - b. Search of criminal records
 - c. Sexual offender registries
 - d. Education and credentials
 - e. Employment history
 - f. Professional licenses or certifications
 - g. Employment references
 - h. Credit report
- ii. Not all finalists will be required to complete all screenings. Credit reports will only be conducted for positions responsible for College funds, cash, or liquid assets.

C. Decision on Successful/Unsuccessful Background Screenings

- i. The College President will make the final decision on the successful/unsuccessful background screenings using the following guidelines.
 - a. Offense-the nature, severity and intention of the offense.
 1. The statutory elements of the offense
 2. Relevancy of the conviction to the job
 3. The age of the person at time of offense
 4. Number and types of offenses
 5. Time elapsed since last offense
 6. Probation or parole status
 7. Pattern of offenses
 - b. Convictions-only convictions are taken into account when reviewing a final candidate's criminal history
 - c. Open Criminal Cases-open criminal cases may preclude a final candidate from eligibility for employment depending on the relevance of the charge to the job responsibilities.

The hiring official is responsible for determining job relevance.

- d. Failure to disclose criminal convictions- if convictions are revealed during the background screening, this may render the finalist ineligible for hire.

D. Notification of Adverse Results

- i. The Office of Human Resources will notify a final candidate of an unsuccessful background screening in writing.
- ii. The final candidate will be notified of the right to refute the information and the process.
- iii. The College shall ensure compliance with the Federal Credit Reporting Act.

E. Background Screening Records

- i. All records will be maintained including notification of adverse actions by the Office of Human Resources.
- ii. Records will be retained as set forth in the records retention guidelines.

RELATED POLICIES AND/OR PROCEDURES: Operating Rule 14 Hiring, Procedure 4 Employment Search and Selection

RESPONSIBLE OFFICE: President, Office of Human Resources

Approved by: President's Advisory Council