

PRE-EMPLOYMENT SCREENING

A. Policy Statement

- a. **Pittsburg State University** strives to provide the safest possible environment for students, visitors, faculty and staff. In an effort to maintain a safe environment the University shall conduct pre-employment screenings on new employees.

B. Scope

- a. This policy applies to any appointment where the total duration, or anticipated duration, of employment is longer than six months, even if the immediate appointment is for less than six months. This includes administrative graduate assistants, graduate teaching assistants and graduate research assistants.
 - i. This policy does not apply to student employees; except
 1. Student employees who work with minors under the age of 18 will be subject to a sexual offender registry search.
- b. Prospective employees who are finalists for positions are required to undergo a standard pre-employment screening, including a criminal background check, prior to the first day of employment.
- c. The standard pre-employment screening shall include:
 - i. Verification of: social security number, academic credentials, relevant licenses or certification, and work history and job performance.
 - ii. A Criminal Background Check
 1. The level of scrutiny in the criminal background check will vary by prospective job duties. Prospective employees will undergo a screen for:
 - a. Criminal history record searches for felony and misdemeanor convictions at the county and federal levels in every jurisdiction where the candidate currently resides or has resided or has been employed. Such searches should cover a minimum of the last seven years.
 - b. Sex offender registry searches at the county and federal levels in every jurisdiction where the candidate currently resides or has resided or has been employed.
 - i. All employees who work with minors under the age of 18, regardless of their duration of appointment, will be subject to sex offender registry searches at the county and federal levels.
 2. Scope of the Criminal Background Check
 - a. In most cases only the top finalist for the position will undergo a criminal background check.
 - b. Criminal background checks will not be conducted on employees hired prior to September 1, 2008. If an employee who was hired prior to September 1, 2008 terminates their employment with the University and is rehired after more than one year, the employee will be required to undergo a criminal background check. If an

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- employee hired prior to September 1, 2008 transfers to a different position on campus, the employee will not be required to undergo a criminal background check.
- c. If an employee who was hired on or after September 1, 2008, and has a criminal background check on file, terminates their employment with the University and is rehired after more than one year, the employee will be required to undergo another criminal background check.
 - d. The University will use the information obtained through a criminal background check to determine the prospective employee's trustworthiness and for the safety or well-being of the university's students and other employees.
 - e. Criminal history information will be used only for the purpose of evaluating applicants for employment and shall in no way be used to discriminate on the basis of race, color, national origin, religion, sex, disability or age. This policy does not automatically exclude from consideration for employment individuals with criminal convictions.
- d. Prospective employees whose principle duties (i.e., 50 percent or greater) are fiduciary will also be subject to a credit screening.
- i. Fiduciary responsibilities include, but are not limited to, the duty to: handle, receipt for, or have custody of money, checks or securities; authorize (or make appropriations for) expenditures; approve, certify, sign or countersign checks, drafts, warrants, vouchers; maintain or audit accounts of money, checks, or securities; or take physical inventories of money, checks or securities.

C. Procedures

- a. All advertisements and position descriptions shall indicate that the applicant will be subject to a criminal background check with the statement "*Employment will require a criminal background check.*"
- b. Prior to conducting a criminal background check, the prospective employee must complete a "Candidate Consent and Disclosure Form." The hiring division for unclassified employees, graduate assistants and applicable students will return it to the Equal Opportunity Office to be processed. The hiring division for university support staff will return it to Human Resource Services. The hiring division is responsible for attaining the signed consent form from the candidate. If the candidate declines to provide the consent for the check, he/she can no longer be considered a candidate for the vacancy.
- c. Criminal background checks shall be conducted by an outside third party.
- d. References checks shall be done by the hiring division.
- e. If the prospective employee is hired, the results of the criminal background check shall be kept in the employee's official personnel file.
- f. If the prospective employee is not hired, the results of the criminal background check for unclassified employees, graduate assistants and students shall be maintained in the Equal Opportunity Office for three years from the date of the

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adverse decision. The results of the criminal background check for university support staff shall be maintained in the Human Resource Services office for three years from the date of the adverse decision.

- g. Unclassified employee, graduate assistant and student background check reports shall be reviewed by the Equal Opportunity Office. University Support Staff background check reports shall be reviewed by Human Resource Services.
- h. If any negative information is found on the report, a three person committee consisting of the Director of Human Resources, the General Counsel and the Director of Equal Opportunity shall review the report and make a recommendation to the appropriate Vice President or to the President, if applicable. The appropriate Vice President or the President shall decide whether or not to disqualify the candidate.
 - i. Before the three person committee meets, the Equal Opportunity Office will send the applicant a Pre-Adverse Action Notice and a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act.” A final employment decision shall not be made by the hiring department until the Pre-Adverse Action Notice has been sent out.
- i. If information identified from the criminal history or credit report within the pre-employment screening will be used to disqualify the candidate, the candidate must be notified by the Equal Opportunity Office as required by the Fair Credit Reporting Act (FRCA).
 - i. If adverse action is to be taken, the Equal Opportunity Office will send the applicant an Adverse Action Notice. The notice must include:
 - 1. The name address and phone number of the Consumer Report Agency (CRA) that supplied the report
 - 2. A statement that the CRA did not make the decision to take the adverse action and cannot give specific reasons for it; and
 - 3. A notice of the individual’s right to dispute the accuracy or completeness of any information the agency furnished, and his or her right to an additional free consumer report from the agency upon request within 60 days and to dispute with the CRA the accuracy or completeness of any information in a consumer report furnished by the agency.