

California State University, Chico

Background Check Procedures

Please refer to [HR 2015-08](#) for the comprehensive CSU system wide Background Check Policy.

1. Overview -

Background Check Policy (HR 2015-08) requires a background check to be conducted on all final candidate(s) considered for new hire. Current employees are subject to background checks if they are voluntarily under consideration for positions in which background checks are required by law or that the CSU has designated as sensitive. Background checks are NOT required for involuntary reassignments or reclassifications. This includes all temporary, probationary, intermittent, and at-will employees. Student workers are to be background checked only if he/she is employed or being considered for employment in a position in which a background check is required by law or that the CSU has designated as sensitive or the TA is listed as the instructor of record. Background checks are required for new hires, current employees, volunteers, consultants, employees of auxiliaries, outside entities and independent contractors who perform work involving regular or direct contact with minor children, including at CSU-hosted recreational camps (e.g. youth activities) or who perform duties that would require a background check if performed by CSU employees.

Sensitive Positions are those designated by the CSU as requiring heightened scrutiny of individuals holding the position, based on potential for harm to children, concerns for the safety and security of people, animals, or property, or heightened risk of financial loss to the CSU or individuals in the university community.

Background checks are required for current employees when:

- Federal or state law requires a background check.
- The current employee is voluntarily moving into a position for which a background check is required by law or a sensitive position that requires a background check.
- Student workers must have background checks if they will have duties that would require a background check if performed by a CSU employee.
- Background checks are required for volunteers if they will have duties and responsibilities that would require a background check if performed by a CSU employee.
- Independent Contractors, consultants, auxiliaries and outside entities who operate under the CSU name or on CSU property are responsible for ensuring that their employees have had background checks if they perform duties that would require the checks if performed by CSU employees.

Background checks are NOT required for:

- FERP employees, unless they voluntarily move into positions that would require a background check.
- Current employees, unless they voluntarily move into a position that requires a background check.
- Employees rehired at the same campus who have had a CSU background check performed in the previous 12 months.
- Employees re-appointed to the same position at the same campus within 12 months.

2. Types of Background Checks

Required:

Criminal Records Check
Educational Verification
Employment Verification
Reference Checks

Optional (checks that may be done if job-related):

Credit History Check

Motor Vehicle Records/Licensing Check

State/National Sexual Offender Registry Check

Professional Licensing, Certification, and/or Credential Verification

3. Responsibilities

Campus Departments: Campus departments will be responsible for working with the appropriate individual/department to determine whether a position will be performing sensitive work which would subject the candidate to a background check. This determination must be made **BEFORE** the position is advertised or any recruiting/services begin.

Background Check Processor: The Background Check Processor is housed in the Employment Services unit of the Human Resources Services Center. This individual will coordinate background checks for the following groups: MPP, Staff, Volunteers, and Special Consultants. The Background Check Processor will be responsible for reviewing results of all background checks. The Background Check Processor will notify the AVP of Staff Human Resources of all records checks that have findings that may inhibit a candidate from being hired. The Background Check Processor serves in the role as Records Custodian for Background Check Results. While background check results are retained electronically through a secure, CSU-approved, third party vendor (Accurate Background), as the Custodian of Record, the Background Check Processor will be required to ensure that should records arrive on campus, they be kept in a location that is secure and separate from the employee's official personnel file. The Background Check Processor will also be responsible for maintaining and destroying the Criminal Offender Record Information no later than the termination of the new hire's employment or two (2) years from rejection due to the Criminal Offender Record Information.

Office of Academic Personnel: The Office of Academic Personnel will coordinate background checks for Unit 3 employees and Special Consultants hired through Academic Personnel. This office will also be responsible for determining whether any Unit 3 positions are performing sensitive work which would subject the candidate being considered to background checks. The determination must be made **BEFORE** the position is advertised. The individual in the sensitive position/assignment must successfully complete the background check **BEFORE** they are hired to work in this capacity.

Procurement will work with departments to ensure that independent contractors provide verification that they have completed all required background checks.

Classification and Compensation: The Classification and Compensation department will work with Hiring Managers to determine whether any MPP, Staff, Volunteer, and Special Consultant positions are performing sensitive work which would subject them to background checks. The determination must be made **BEFORE** the position is advertised. The individual in the sensitive positions/assignment must successfully complete the background check **BEFORE** they are hired or begin volunteering for the university.

Background Check Review Committee: The Background Check Review Committee consists of the following: AVP of Staff Human Resources, Risk Manager, Chief of Police, and the Academic Personnel Labor Relations Manager (when reviewing results for Unit 3 employees). The AVP of Staff Human Resources will be notified by the Background Check Processor of all criminal records checks with findings. Criminal records checks with findings will be brought to the Background Check Review Committee. The Background Check Review Committee will review the results of criminal offender records information to assess and make a decision on the final candidate's suitability for the position based on the results of the entire background check.

University Police Department: The University Police Department will conduct fingerprinting (Live Scan) as required. The Chief of Police or designee will serve as the Records Custodian for all fingerprint records. Results of all criminal records checks will be sent to the AVP of Staff Human Resources.

4. Background Check Process

Criminal Records Check:

A. MPP/Staff appointments

1. Hiring Department selects final candidate and notifies Manager of Staff Recruitment.
2. Manager of Staff Recruitment initiates background check through the Background Check Processor.
3. Background Check Processor contacts the candidate and initiates the appropriate background check process through Accurate Background.
4. Findings are returned to the Background Check Processor.
5. Background Check Processor reviews results and moves to meet requirements when appropriate.
6. Background Check Processor notifies AVP of Staff Human Resources of any findings for review and consideration.
7. AVP of Staff Human Resources convenes the Background Check Review Committee if results of background check has findings that may disqualify a candidate from employment. If adverse action is to be taken on a candidate, the Background Check Processor will initiate the pre-adverse action notice and action notice (when applicable).
8. Background Check Processor will notify Manager of Staff Recruitment when a candidate is cleared for hire. Final decisions are logged in the appropriate systems.

B. Unit 3 Faculty appointments

1. Hiring Department selects final candidates and forwards Authorization to Extend an Offer for signature.
2. OAPL Recruitment Coordinator will notify of approval to hire and request top candidate name, and non-CSU, Chico email address.
3. OAPL Recruitment Specialist initiates the appropriate background check process through Accurate Background.
4. Findings are returned to the Background Check Processor.
5. Background Check Processor reviews results and moves to meet requirements when appropriate.
6. Background Check Processor notifies AVP of Staff Human Resources of any findings for review and consideration.
7. AVP of Staff Human Resources convenes the Background Check Review Committee if results of background check has findings that may disqualify a candidate from employment. If adverse action is to be taken on a candidate, the Background Check Processor will initiate the pre-adverse action notice and action notice (when applicable).
8. Background Check Processor will notify Recruitment Specialist when a candidate is cleared for hire. Final decisions are logged in the appropriate systems.
9. OAPL Administrative Support Coordinator notifies AA/S of background check clearance.

C. Volunteers, Special Consultant and Independent Contractors

1. Background Check Processor will be notified of background checks necessary for Volunteers, Special Consultant and Independent Contractors.
2. Background Check Processor contacts the candidate and initiates the appropriate background check process through Accurate Background.
3. Findings are returned to the Background Check Processor.
4. Background Check Processor reviews results and moves to meet requirements when appropriate.

5. Background Check Processor notifies AVP of Staff Human Resources of any findings for review and consideration.
6. AVP of Staff Human Resources convenes the Background Check Review Committee if results of background check has findings that may disqualify a candidate from employment. If adverse action is to be taken on a candidate, the Background Check Processor will initiate the pre-adverse action notice and action notice (when applicable).
7. Background Check Processor will notify Manager of Classification and Compensation when a candidate is cleared for hire. Final decisions are logged in the appropriate systems.

D. Auxiliary Employees working on campus

1. IN PROGRESS

Criminal Background Escalation/ Adverse Action Process:

When adverse information is found as a result of the criminal records check, applicants must be notified and given an opportunity to review the criminal records check results and submit an explanation through an appeal process as outlined below.

1. Pre-Adverse Action Notice: The campus must first provide a Pre-Adverse Action Notice to the applicant, including a copy of the report together with a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act.”
2. Five Business Days to Request Review: When notified of the intended adverse action, the applicant shall be given five (5) business days to request, in writing, clarification or further review of the decision. The campus Decision Maker(s) must wait five (5) business days after notice is provided and consider the applicant’s appeal before making a final decision.
3. Adverse Action Notice: The campus may finalize its decision to disqualify the applicant if, after five (5) business days, no additional information has been presented establishing that disqualification based on the initial results of the check is inappropriate. If the decision is finalized, the campus will notify the individual of the non-selection using the Adverse Action Notice.

Education Verification Process:

A. New MPP/Staff appointments and Current Staff moving into sensitive positions

1. The Background Check Processor will perform education verification, when used as a qualifying factor for the position and/or if listed on a candidate’s application, once the background check has been initiated for New Hires and Current Staff moving into sensitive positions.
2. Background Check Processor initiates process through National Student Clearinghouse.
3. Findings are returned to the Background Check Processor.
4. Background Check Processor notifies Manager of Recruitment of any findings for review and consideration.

B. New Unit 3 appointments

1. Hiring Committee will verify degree/education **prior** to requesting an Authorization to Extend an Offer. OAPL has access to the National Student Clearinghouse and will, upon request, perform a search for records to assist in verification – however, records are not always readily found (especially for non-resident applicants). Contact the Recruitment Specialist to request a National Student Clearinghouse check.

Employment Verification Process:

A. New MPP/Staff appointments and Current Staff moving into sensitive positions

1. The campus will attempt to verify all relevant employment reported by the candidate.

B. New Unit 3 appointments

1. Hiring Committee will verify relevant employment reported by the candidate during reference check portion of the process.

Reference Check Process:

A. New MPP/Staff appointments and Current Staff moving into sensitive positions

1. Before an offer of employment is extended to the candidate, appropriate checking of professional references must be conducted. A minimum of two reference checks are required for every new hire. Reference checks can only be conducted by the Hiring Manager, Appropriate Administrator, or Employment Services.

B. New Unit 3 appointments

1. Hiring Committee will conduct reference checks for final candidate prior to requesting authorization to extend an offer.

Optional (checks that may be done if determined to be job-related):

If determined to be job-related, the campus will review the candidate's credit report history check, motor vehicle records/licensing check, professional licensing, certification, and/or credential verification.

State/National Sexual Offender Registry

For all employment positions with regular or direct contact with minors, the campus will verify if applicants have been included in any state or federal sexual offender registry. Campuses may access records from the Megan's Law website (<http://www.meganslaw.ca.gov/>) to conduct a California state sexual offender registry check. For a national sexual offender registry search, campuses may access the U.S. Department of Justice's website (www.nsopr.gov) and/or the Federal Bureau of Investigation's website (www.fbi.gov/scams-safety/registry).