

## **PRE-EMPLOYMENT SCREENING**

### **A. Policy Statement**

- a. Pittsburg State University strives to provide the safest possible environment for students, faculty, staff and visitors. 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 each appointment and includes administrative graduate assistants, graduate teaching assistants and graduate research assistants.
  - i. This policy does not apply to student employees; except
    1. Student employees 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: academic credentials, relevant licenses or certification, 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. Such searches should cover a minimum of the last seven years.
      - b. Sex offender registry searches at the county and federal levels (or state) in every jurisdiction where the candidate currently resides or has resided.
      - c. Other verifications as required by law for specified positions.
    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. If an employee with 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.
      - c. 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.
      - d. Criminal history information will be used only for the purpose of evaluating applicants for employment and shall in no way be used to discriminate in compliance with the University's nondiscrimination policy. This policy does not automatically exclude from consideration for employment individuals with criminal convictions.

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- d. Prospective employees whose principle duties (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. Criminal background checks shall be conducted by an outside third party.
- c. The background check is initiated by the University and completed electronically through the University’s third-party vendor. If the candidate declines to complete the online consent for the check, he/she can no longer be considered a candidate for the vacancy.
- d. Reference checks shall be done by the hiring division.
- e. The results of the criminal background check shall be maintained by the University and kept confidential.
- f. 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 Institutional Equity 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, Institutional Equity 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.
- g. 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 Institutional Equity as required by the Fair Credit Reporting Act (FRCA).
  - i. If adverse action is to be taken, Institutional Equity 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.