

Background Check Policy

ROWAN UNIVERSITY POLICY

Title: *Background Checks for Candidates for Employment*

Subject: *Human Resources*

Policy No: *HR: 2015: 02*

Applies: *University-wide*

Issuing Authority: *President*

Responsible Officer: *Chief Human Resources Officer/Vice President*

Adopted: *07/29/2015*

Last Revision: *05/21/18*

Last Reviewed: *05/21/18*

I. PURPOSE

To establish policy and procedure for conducting background checks on candidates for employment (whether compensated or not) within the University.

II. ACCOUNTABILITY

Under the direction of the Senior Vice President for Finance and CFO, the Associate Vice President for Human Resources (Chief Human Resources Officer) shall implement and ensure compliance with this policy.

III. APPLICABILITY

This policy shall apply to all candidates for positions within the University including Volunteers /Uncompensated Employees. Student employees are exempt except when as noted below or required by department or program.

IV. POLICY

1. Individuals to whom this policy applies will be required to have a background check performed after acceptance of the conditional offer of employment, with results deemed acceptable by the University as a condition of employment. An offer of employment will not be final and employment not permitted until the completion of the background check with results deemed acceptable by the University. Employment may be denied or rescinded based upon the results of the background check.
2. Background checks shall include, but not be limited to, a Social Security Number trace to confirm past residences, verification of present and past employment, employment reference checks, a criminal background check search, and may include a Sexual Offender Registry check. The criminal background search shall involve all levels of criminal offense, all types of adjudications, all legal processes not yet resolved and all types of offenses extending as far back as possible. A search of the U.S. Department of Health and Human Services Office of the Inspector General List of Excluded Individuals/Entities (LEIE) is required for all positions at RowanSOM and may be required for other candidates based on departmental requirements. Driving records search is required for positions that require a driver's license. If a candidate is proposed for a faculty, post-doctoral or visiting scientist appointment (or if a student is proposed for participating in any federally-funded research) and is a foreign national, the

Office of Research will undertake the "Restricted and Denied Party Screening" required by law. Green card holders and U.S. nationals will be screened in accordance with University policies. Additional checks may be required pursuant to University departmental and program requirements.

3. Omission of required information, or providing false or misleading information on Application for Employment and/or resume, or in any other communication to the University by the individual, may result in denial or rescission of an offer of employment, disciplinary action or dismissal.
4. If a background check report reveals information of concern which the University may deem unfavorable:
 - a. Human Resources shall provide the individual with a copy of the report and the document "A Summary of Your Rights Under the Fair Credit Reporting Act" (Exhibit A) and require the individual to provide a detailed written description and explanation of the information contained in the report, along with appropriate documentation, specifically police reports. This information must be returned to Human Resources within five (5) business days of the date the communication is sent to the individual. The University may also independently seek additional information, such as a copy of the original criminal charge, in order to corroborate the individual's explanation.
 - b. A committee including representatives from the departments of Human Resources, Public Safety, and General Counsel departments, will review the report and the individual's explanation, and consult with the hiring official/department. The committee will consider such factors as: the nature and seriousness of the offense, the circumstances under which the offense occurred, relationship between the duties to be performed as an employee and the offense committed, the age of the person when the offense was committed, whether the offense was an isolated or repeated incident, the length of time that has passed since the offense, past employment history, evidence of successful rehabilitation and the veracity of the information provided by the candidate in the application materials, disclosure form or other materials. All favorable recommendations made by the committee will be reviewed by General Counsel for final approval. If the committee deems the background check information unacceptable, or if the individual fails to provide additional documentation as required, an offer of employment will be denied or rescinded. Unresolved matters in the background check or delay by the individual in providing additional documentation as required may necessitate postponement of the University's final decision pending the outcome of the matter, disqualification of the candidate, or rescission of an offer of employment. The Associate VP Employee & Labor Relations will review all decisions of the committee on a regular basis. Records for all reviews and decisions made by the committee will be maintained in the Department of Human Resources for an appropriate amount of time to allow for audit of decision process.
5. If an individual's offer of employment is denied or rescinded based on information obtained from a consumer reporting agency, the individual will be advised of the name and address of the consumer reporting agency that furnished the report, and of the right to dispute the accuracy or completeness of any information contained in the report by contacting the consumer reporting agency directly.
 - a. If the University decides, based upon the individual's written description, explanation and documentation about information contained in a background check, that the results of the check are deemed acceptable, the individual shall be so informed within five (5) days of the completion of the review by Human Resources.
6. Individuals to whom this policy applies must: (1) sign a form authorizing the University to have a background check performed on them by a consumer reporting agency engaged by the University to conduct such checks and (2) complete the Background Check for Regular and Volunteer Staff form.