

TO: The University Community

FROM: Dr. Tom Gorell, Senior Vice President for Administrative Services

RE: New Policy on Background Checks

After more than a year of development and campus review, Colorado State University's new policy requiring employee backgrounds checks will go into effect October 1. This policy has been reviewed and refined through discussions with, the Council of Deans, vice presidents and vice provosts, and Faculty Council officers to ensure it is fiscally responsible, feasible to implement, and in keeping with our values and priorities as an academic institution.

The policy is detailed in the attached information prepared by Carol Shirey, Director of Human Resource Services, who is leading its implementation. Human Resources will be holding informational sessions next week to answer any questions related to the implementation and how it will impact campus departments and searches:

- Monday, September 29, 9 a.m., Room 212, Shepardson
- Wednesday, October 1, 9:30 a.m., Room 203-05, LSC

We have chosen to adopt this policy as a necessary step in ensuring the continued safety of our students, faculty, and staff. Colorado State employees at all levels may have varying degrees of access to confidential personnel information, vulnerable human and animal populations, expensive equipment, chemicals, and financial resources. While not all potentially harmful or criminal behavior can be prevented through the care we take in hiring, we ought to be aware of past criminal histories that might make an applicant unsuitable for a position of trust on our campus. In addition, motor vehicle record checks will be instituted for any positions that involve operation of motor vehicle.

All candidates for employment will be fully informed of the background check requirement as a condition of hiring, and the policy as written includes an appropriate system of checks and balances to safeguard the civil rights of candidates and employees and prevent abuse of the background check policy.

Thanks to all involved in developing this policy, and if you have specific related questions, please plan to attend one of the informational sessions next week.

Background Check Procedures:

Recruitment Notices: Position descriptions and recruitment notices must:

1. Provide notification that final candidates will be subject to a background check.
2. The following statement is required on all job announcements for faculty, administrative professional, state classified and non-student hourly positions, as well as those student, post doctoral fellow, graduate assistant, clinical psychology intern, veterinary resident and intern, fellowship grant trainee, faculty affiliate and volunteer positions subject to a background check(s) as per the CSU Policy Regarding Background Checks, hereafter referred to as the Policy, available at: <http://www.hrs.colostate.edu/background/index.html> .

“Colorado State University is committed to providing a safe and productive learning and living community. To achieve that goal, we conduct background investigations for all

final candidates being considered for employment. Background checks may include, but are not limited to, criminal history, national sex offender search and motor vehicle history.”

For purposes of print advertising, a condensed version of this statement may be used or candidates may be directed to the complete job announcement which includes the full statement on the departmental or university website. A condensed version that may be used is: “Colorado State University conducts background checks on all final candidates.”

Roles and Responsibilities in Conducting Background Checks:

1. Appointing Authorities:

- a. Ensuring that reference checks are completed for the final candidate as appropriate.
- b. Ensuring that the appropriate background check(s) are conducted on the final candidate for all faculty, administrative professional, state classified and non-student hourly positions, as well as those student, post doctoral fellow, graduate assistant, clinical psychology intern, veterinary resident and intern, fellowship grant trainee, faculty affiliate and volunteer positions as outlined in the Policy. This includes initial appointments to the university as well as promotions and transfers of existing university personnel (refer to the Policy for exceptions).
- c. Ensuring that employees in positions subject to motor vehicle checks have their driving records re-checked every three years.
- d. Submitting the employee’s or final candidate’s full name, email address, employee type (i.e., faculty, state classified, student), position title and number, if applicable, and check(s) to be performed to Human Resource Services (HRS) via the following email address: background_checks@colostate.edu.
- e. Notifying the employee or final candidate of the type of background check(s) that will be performed and that s/he will receive an electronic communication from HireRight requesting that s/he complete online a background disclosure and authorization form and an applicant self-reported convictions form.
- f. If the employee or final candidate does not have access to a computer or has no email address, the appointing authority is responsible for obtaining completed and signed forms necessary to authorize a background check from the applicant and forwarding these documents to HRS. The necessary forms can be found on the HRS website (<http://www.hrs.colostate.edu/background/index.html>).
- g. Deciding whether to offer employment to the final candidate based on HRS’ review of the background check and resulting counsel. If HRS presents information that may impact the hiring decision, the appointing authority must confer with, and secure written authorization from, the cognizant dean or vice president prior to proceeding with an offer of employment. The appointing authority shall forward this authorization to hire on to HRS before final approval of the appointment can be made.
- h. Consulting with HRS on re-checks of driving records to determine if action is required. Additionally, appointing authorities are expected to take appropriate action on an on-going basis when employees subject to motor vehicle checks self-report moving violation convictions as required by the Policy.
- i. Notifying the Office of Equal Opportunity and Diversity of the reason for not extending an offer of employment to the final candidate of a faculty or administrative professional position.

- j. Ensuring the appropriate background checks have been completed prior to entering data for new appointments into the personnel/payroll system.
2. Human Resource Services:
- a. Coordinating the receipt of background disclosure and authorization forms from final candidates or campus departments, coordinating with appointing authorities as needed to determine the appropriate scope of background checks, and requesting the appropriate background check(s) through the third party vendor or other sources.
 - b. Reviewing the background check report and advising the appointing authority that the final candidate is cleared and to proceed with an offer of employment or, when the final candidate presents a potential risk to the university, discussing such concerns with the appointing authority. If the appointing authority still wishes to proceed with an offer of employment, s/he must confer with the cognizant dean or vice president prior to proceeding. Ensuring that the cognizant dean or vice president has approved all such hires prior to approving the appointment in the personnel/payroll system.
 - c. Providing written notification to a final candidate who may not be considered for a position based on the results of a background check, including a copy of the report and a specified time period of no less than 5 days in which to respond.
 - d. If the final candidate fails to respond within the specified time period, issuing a second notice informing the final candidate that s/he is no longer being considered for the position.
 - e. Reviewing any appeal submitted by a final candidate challenging the accuracy of information contained in the background check.
 - f. Ensuring that appropriate background checks have been completed on all final candidates prior to their appointments being finalized in the personnel/payroll system.

Effective Date:

The CSU Policy Regarding Background Checks is effective October 1, 2008. The implementation of the Policy will be as follows:

1. All positions announced on or after October 1, 2008 for which background checks are required must include the notice to applicants of the University's Policy (see Recruitment Notices above) and final candidates for these positions are subject to such checks.
2. Final candidates for positions announced prior to October 1, 2008 which notified applicants that a background check may be required prior to hire, as was the case for all state classified positions advertised since May 1, 2008, are subject to background checks as of the effective date of the Policy (October 1st).
3. Final candidates for all other positions announced prior to October 1st are not subject to background checks if:
 - a. They are appointed by December 31, 2008 or,
 - b. They will be appointed on or after January 1, 2009 but have received and signed an offer of employment letter by the effective date of the Policy, October 1st. In these cases, the appointment must be processed through the personnel/payroll system no later than November 15, 2008.

Human Resource Services will be holding two informational sessions to discuss the implementation of the new Policy and to answer your questions or address your concerns:

- Monday, September 29th, 9 a.m., Room 212, Shepardson
- Wednesday, October 1st, 9:30 a.m., Room 203-5, LSC