



Background Check Policy 4.15

Office of Human Resources

Applies to: Faculty, staff, graduate associates, student employees, volunteers, and applicants

This policy will be administered by Health System Human Resources in coordination with the Office of Human Resources.

POLICY

Issued: 09/01/2008

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To promote a safe and secure environment for its faculty, staff, students, volunteers, and visitors, the university will take reasonable steps to ensure hiring decisions effectively contribute to lessening unnecessary risk. The university has established this background check policy and minimum standards to accomplish this purpose.

DEFINITIONS

Term	Definition
Background Check	Process of acquiring records regarding a final candidate that are used to determine suitability for employment.
Background Check Coordinator (BCC)	Office of Human Resources, Organization and Human Resource Consulting (OHRC) employee(s) designated to administer the background check process for those positions specifically mandated in this policy.
Criminal Conviction	Being found guilty, entering a guilty plea, or pleading no contest to a felony, misdemeanor and/or ordinance violation other than a minor traffic violation (e.g. speeding is considered minor while driving under the influence is major).
Fair Credit Reporting Act	Federal law that regulates collection, dissemination, and use of consumer credit information.
Final Candidate	Internal or external applicant identified as the finalist for a position.
Hiring Manager	Individual ultimately responsible for selecting a final candidate for employment.

POLICY DETAILS

I. Guiding Principles

- A. Background checks are used to support the university's priority to create a safe and secure environment for its faculty, staff, students, volunteers, and visitors.
- B. The background check process is intended to assist hiring units in the evaluation of whether a candidate is suitable for the position.
- C. The university desires to promote fair and consistent methods to obtain, analyze, apply, and retain information on final candidate background checks.
- D. Hiring practices must emphasize prevention of discrimination and harassment.

II. Regulations

- A. Background checks must be conducted on appointees and final candidates for the positions listed below. [Required Background Checks](#) lists the types of checks that the Office of Human Resources must conduct as well as checks that must be completed by the hiring department.



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1. President
2. Provost
3. Vice Presidents
4. Vice Provosts
5. Deans
6. Senior Fiscal Officers
7. Senior Human Resource Professionals
8. All additional President's Council members (this list is intended to include all members of President's Council, and is subject to change at the President's direction), including:
 - Associate Vice President, Human Resources
 - Assistant Vice President and Director of Athletics
 - Chief Information Officer
 - Chief Investment Officer
 - Secretary of the Board of Trustees
 - Secretary, University Senate

The individuals in these positions may also be subject to periodic background checks during the length of their employment in the position.

- B. Background checks must also be conducted on individuals holding positions with certain responsibilities (e.g. child care, public transportation, etc.) in compliance with applicable laws, regulations, and standards. Departments are responsible for conducting these background checks and/or working with the necessary parties (e.g. governmental licensing or regulatory agencies, etc.) to ensure compliance. If applicable, departments must comply with the [Security Standards Council's Payment Card Industry \(PCI\) Data Security Standard](#) as it pertains to screening potential employees involved in processing credit/debit card transactions.
- C. Departments may conduct background checks on final candidates for positions not listed above. When doing so, departments must comply with [Minimum Standards for Conducting Background Checks](#). The Office of Human Resources, OHRC, must approve department background check processes.
- D. All offers are contingent upon successful completion of the background check. All offers of employment, oral or written, must include a statement as follows: "This offer is contingent on the university's verification of credentials and other information required by law and/or university policies, including but not limited to a criminal background check."
- E. The [Background Check Disclosure, Authorization, and Release](#) form as well as the [Summary of Your Rights Under the Fair Credit Reporting Act](#) must be used for any background check performed by a third party vendor or for any checks other than those listed in section two of [Required Background Checks](#).

III. Self-Disclosure of Criminal Convictions

- A. Individuals applying for positions are required to self-disclose criminal conviction information when they apply.
- B. Hiring managers are required to ask all interviewed candidates about negative information revealed on applications and inquire about the nature and circumstances of criminal convictions during the interview



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process. Questions regarding criminal convictions should focus on the relevancy to the job duties as well as the time frame, severity, and circumstances surrounding the conviction. For additional guidance, refer to [Minimum Standards for Conducting Background Checks](#).

PROCEDURE

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I. Final Candidate Authorization and Background Check Coordinator Notification

- A. Prior to a background check being performed by a third party vendor or for any checks other than those listed in section two of [Required Background Checks](#), final candidates must be given a copy of the [Background Check Disclosure, Authorization, and Release](#) form. Final candidates authorize the university to conduct pre-employment screening when they complete the form. Failure to complete the form will preclude a final candidate from consideration for a position.
- B. Hiring managers are required to communicate with the BCC when a final candidate has been identified for a position requiring a background check as identified in section “Policy Details, II-Regulations-A” of this policy. The hiring manager must also communicate to the BCC any negative information provided by a final candidate to the hiring manager.

II. Assessment of Background Check Information

The BCC will assess the information contained within a background check using the following principles:

- A. Only convictions will be taken into account when reviewing a final candidate’s criminal history. An arrest without a conviction in a closed case will not be considered.
- B. Open criminal cases may preclude a final candidate from eligibility for employment depending on the relevancy of the charge to the job responsibilities. The background check coordinator, in consultation with the Employment Law Compliance Manager, is responsible for determining relevancy.
- C. Failure to disclose criminal convictions will make the candidate ineligible for hire.
- D. Negative information will be evaluated by considering factors outlined in the [Minimum Standards for Conducting Background Checks](#).

III. Background Check Records

- A. Candidates not hired due to information revealed on a background check conducted by a third party vendor or any check other than those listed in section two of [Required Background Checks](#), must be provided with a copy of the results and a copy of the [Summary of Your Rights Under the Fair Credit Reporting Act](#). The BCC is responsible for providing the results to the candidate.
- B. For information pertaining to the retention of background check results and [Background Check Disclosure, Authorization, and Release](#) forms, refer to the [University Archive Records Retention Schedule](#). Background check documentation must not be stored in an employee’s personnel file.
- C. To the extent possible, all information received in connection with the background check process will be treated as confidential except when disclosure is necessary.



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RESPONSIBILITIES

Individual or Office	Responsibilities
Final Candidate	<ul style="list-style-type: none">A. Provide truthful, accurate, and complete information.B. Consent to the background check by signing the Background Check Disclosure, Authorization, and Release form. Failure to complete the form will preclude a final candidate from consideration for a position.C. Provide requested information or documentation within timelines specified by the BCC.
College/VP Unit	<ul style="list-style-type: none">A. Include "Requires successful completion of background check(s)" in the "Requirements" section of all position descriptions and employment advertisements for applicable positions.B. Communicate with the BCC when a final candidate has been identified for a position requiring a background check as identified in section "Policy Details, II-Regulations-A" of this policy. The BCC will conduct the background check and coordinate with the college/VP unit as appropriate.C. Communicate in the final candidate's offer letter that employment is contingent upon successful completion of a background check.D. Ensure payment is submitted to the BCC with the Background Check Disclosure, Authorization, and Release form. All costs associated with conducting background checks are the responsibility of the employing unit.E. If applicable, determine department process for conducting background checks not mandated by this policy. Any such process must be aligned with this policy's guiding principles and approved by the Office of Human Resources, OHRC. Use Minimum Standards for Conducting Background Checks to establish and maintain a department background check process.
Hiring Manager	<ul style="list-style-type: none">A. Make final candidate aware of her/his rights and responsibilities by providing the Background Check Disclosure, Authorization, and Release form. The form must be completed before background check can be conducted.B. Notify candidate that background check results are subject to the Ohio Public Records Act.C. Give the BCC the final candidate's Background Check Disclosure, Authorization, and Release form and discuss, if applicable, any negative information provided by the final candidate before the background check is conducted.
Office of Human Resources	<ul style="list-style-type: none">A. Disseminate information and consult with departments and individuals regarding this policy.B. Approve department processes for conducting background checks not mandated by this policy.C. Serve as BCC for positions identified in section "Policy Details, II-Regulations-A" of this policy.D. Alert college/VP unit at the beginning of a search of background check requirements under this policy.

RESOURCES

Forms

- [Background Check Disclosure, Authorization, and Release](#) form
- [Summary of Your Rights Under the Fair Credit Reporting Act](#)

Related Documents

- [Background Check Policy Frequently Asked Questions](#)
- [Minimum Standards for Conducting Background Checks](#)
- [Security Standards Council's Payment Card Industry \(PCI\) Data Security Standard](#)
- [Required Background Checks](#)
- [Sample Letter to Final Candidate of Negative Information on Background Check](#) (PDF)
- [Sample Letter to Final Candidate of Negative Information on Background Check](#) (WORD)
- [The Ohio State University Credit Card Merchant Policy Credit Card Handling Responsibilities and Procedures](#)



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CONTACTS

Subject	Office	Telephone	E-mail/URL
Policy clarification	Organization and Human Resource Consulting (OHRC), Office of Human Resources	614 292-2800	ohrc@hr.osu.edu hr.osu.edu/ohrc

HISTORY

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