



**Background Check, Policy 4.15  
Frequently Asked Questions**

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**NEW/UPDATED QUESTIONS .....2**

**REQUIREMENTS .....2**

**PROCESS .....3**

**COLLEGE OR VP UNIT SPECIFIC BACKGROUND CHECK PROGRAM .....4**

**CONVICTIONS/ADVERSE ACTION .....4**

**RECORDS .....5**

**INTERNATIONAL BACKGROUND CHECKS .....5**

**MISCELLANEOUS..... ERROR! BOOKMARK NOT DEFINED.**

**WHO TO CONTACT..... ERROR! BOOKMARK NOT DEFINED.**



## Background Check, Policy 4.15 Frequently Asked Questions

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### New/Updated Questions

**1. What is the difference between fingerprinting and a third party vendor background check?**

Both fingerprinting (also referred to as fingerprint background check, BCI, FBI or BCI/FBI) and a third party vendor background check are “background checks”. The main differences are the methods with which to gather the information to run the searches and the agency that runs the searches. A fingerprint background check requires an individual to go to an agency each time a background check needs conducted and have a fingerprint image scan done. The fingerprint background check is completed through the State of Ohio Bureau of Criminal Investigation. A third party vendor background check uses personal identifying information which is obtained from the individual through an online application. There are many private companies that provide third party vendor background checks.

**2. How do I know when to conduct a fingerprint background check or a third party vendor background check on final candidates, current employees or volunteers?**

A third party background check is required for all positions outlined in the background check policy. A fingerprint background check cannot be conducted in lieu of a third party background check. Positions required to have a background check per the background check policy and who will also have care, custody and control of minor participants, will be required to have a fingerprint background check in addition to the third party vendor check. Volunteers or others not included in the background check policy who are working with minors must complete a BCI/FBI fingerprint background check as stated in the Activities and Programs with Minor Participants, Policy 1.50. Unit specific background check programs may require a fingerprint background check in addition to the third party vendor check. Visit the OHR background check webpage at <https://hr.osu.edu/services/background-checks/> for general fingerprinting information.

**3. What does my college/unit need to do to be in compliance with the new requirement that all faculty, staff and student employees with or granted access to restricted institutional data has to have a background check on file?**

Connect with your college/unit data security officer – this is likely the IT or Fiscal Director. This requirement is HR 1.1.2 in the Information Security Control Requirements and compliance should be addressed in your Risk Management Plan. If your Risk Management Plan has been accepted by the OCIO, then you need to follow the plan to reach compliance. The timeline will vary between units. Once you identify the individuals who have access to this data, OHR can send you a list of all the individuals from your college/unit who has a background check on file. You can request for the remainder of the individuals to have background check completed through the OHR background check team. If an individual is newly granted access to restricted data, it is recommended a background check be completed when the job responsibilities change.

**4. Are background checks required for fellows?**

Background checks are required for both paid and unpaid post doc fellows as these individuals are classified as employees within the HR system. Background checks are not required for student fellows or graduate fellows unless these positions have access to restricted institutional data. These roles must comply with the Activities and Programs with Minor Participants policy 1.50 requirements.

### Requirements

**5. Does the department have to conduct a background check on associated faculty when they return to the university after a break in service?**

If the associated faculty member has had a break in service from the university for longer than 12 months, then a background check must be done.

**6. Is a background check required for unpaid appointments?**

A background check is required for all positions listed in Policy 4.15, Section II-Requirements, regardless of whether the appointment is paid or unpaid.



## Background Check, Policy 4.15 Frequently Asked Questions

**7. Is a background check required for positions classified as interim?**

Any interim appointment to a leadership position requires background checks. For any interim appointment that is not a leadership position, decisions to conduct background checks should be based upon established unit processes. Leadership positions include: president; provost; vice presidents; vice provosts; deans; senior fiscal officers; senior human resource professionals; all additional President's Council, President's Cabinet, and Senior Management Council members (this list is intended to include all members and is subject to change at the president's direction) including: associate vice president and director of Athletics, chief information officer, chief investment officer, secretary of the Board of Trustees, and secretary-University Senate.

**8. We are planning on hiring a candidate into a non-regular status position (e.g. temporary, intermittent, term, visiting scholar). Are we required to conduct a background check on this person?**

Yes. Non-regular status positions such as temporary, term, associated faculty, intermittent, and visiting scholar appointments are required to have a background check.

**9. Do we need to conduct a background check every time an intermittent employee is re-hired?**

Yes. A background check must be conducted on intermittent employees each time they are rehired.

**10. Do we need to conduct a background check when an employee returns from a disability separation?**

Yes. A disability separation is a break in university employment. Consult with the OHR director of employee relations to discuss how and when background check information should be assessed.

**11. Do we need to conduct a background check on an employee who is subject to a reduction in force?**

Yes. If an employee exercises her/his displacement rights and is placed into a new position that would otherwise require a background check per Policy 4.15, then a check is required to be conducted.

**12. Is a background check required when an incumbent is being reclassified?**

No. A background check is not required when an incumbent is reclassified into a different title.

**13. How long are the results of a background check valid?**

The results may be valid for as long as the employee remains in the position and title. Units may conduct periodic background checks as needed, in consultation with the Office of Human Resources.

Results for internal transfers are valid for 12 months. If an internal candidate has had a background check through the university within the past 12 months, another one does not need to be conducted for the new position. Results from the previous background check must be reviewed to ensure they meet the requirements of the new position. Contact the OHR Background Check Coordinator to obtain previous background check results.

Fingerprint background checks for individuals who work in positions with care, custody and control of minors per policy 1.50 are valid for 4 years. Individuals in these roles must have a new background check conducted every 4 years.

### Process

**14. Once the background check process begins on a final candidate, is the hiring manager required to wait until a determination of eligibility is communicated before making an offer to a different candidate?**

Yes, a hiring manager must wait until the BCC or HRP communicates a determination on a candidate's eligibility for hire.

**15. What is the process for OHR conducting background checks with the centralized process?**

The college/unit HRP sends candidate information via email or HRA to the BCC. The BCC submits the information to an outside vendor. Once the background check results are received, the BCC analyzes the results and if no convictions are returned, clears the candidate for hire. The BCC sends this communication via email or HRA to the college/unit HRP. If conviction information is returned, the BCC will consult with the SHRP and when appropriate,



## Background Check, Policy 4.15 Frequently Asked Questions

unit leadership (provided they are not the hiring manager), Office of Academic Affairs, Office of Legal Affairs and/or the OHR director of employee relations.

**16. How do I pay for a background check that OHR conducts on my candidate?**

Your college/unit should submit a blanket eRequest for the fiscal year to internal vendor “OHR Background Checks”. The eRequest should include the chartfield(s) you would like background checks charged against. OHR pays the outside vendor directly and will submit an interdepartmental billing/journal upload monthly to the college/unit. If only a few background checks are required for a group of individuals, an eRequest can be sent to internal vendor “OHR Background Checks” with the individuals names listed.

**17. Why isn't the specific information contained in a background check report communicated to the hiring manager?**

This information is not shared to protect the privacy of candidates and to minimize bias in employment decisions.

**18. Can an individual start employment prior to the background check being completed?**

No. An individual cannot begin employment at Ohio State until the background check is complete and it is determined that the individual has successfully passed the background check.

### College or VP Unit Specific Background Check Program

**19. My college/department has a background check program. How does this policy impact our specific program?**

This policy outlines the minimum requirements that must be followed. Your background check program may go above and beyond this policy as long as it complies with the Background Check Standards and Toolkit and is approved by the Office of Human Resources (OHR) and the Office of Legal Affairs. It is recommended to periodically review your college or unit's program update to align with university policy revisions or practices in place.

**20. How do I decide when it is appropriate to conduct a third party background check on individuals who are not included in the policy?**

Consider whether the position responsibilities are of a “sensitive” nature. Examples may include: possession of building master or sub-master key(s); access to university-owned residential facilities and certain other facilities; access to controlled substances/drugs; routine driving of university vehicles; volunteers unsupervised by an OSU employee; etc.

**21. My unit needs to create our own background check program. What should we do?**

Unit background check programs must comply with the Background Check Standards and Toolkit and the background check processes must be approved by OHR. You can use the Unit Specific Program Template policy resource document for both a program template and for thought questions to determine what your college/unit background check needs are. For guidance and help with program creation, contact the background check coordinator (BCC).

### Convictions/Adverse Action

**22. What if a candidate or employee discloses negative information regarding past criminal offenses. What types of questions can or cannot be asked?**

Hiring managers should not ask the candidate additional questions, but instead contact the BCCs or unit HRP to follow up with the individual. Due to the laws and regulations that apply to hiring practices and criminal convictions, it is important the university have consistent and appropriate follow up with the candidate.

For additional guidance, contact the Office of Human Resources at 614-292-3595 or [HR-BackgroundChecks@osu.edu](mailto:HR-BackgroundChecks@osu.edu).

**23. Can a hiring manager ask a candidate about criminal convictions either listed or not on the background check application?**

The hiring manager should not ask the candidate about any criminal convictions. If the hiring manager has questions about any disclosed or undisclosed convictions, she/he should discuss their questions with the unit HRP or BCC. The



## Background Check, Policy 4.15 Frequently Asked Questions

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unit HRP or BCC should follow up with the candidate if necessary. If a candidate indicates that a criminal record was expunged, no further questions should be asked about it.

**24. If an *internal* candidate's background check reveals information that could potentially preclude her/him from the position, does the background check coordinator have an obligation to communicate this to the candidate's home unit?**

The Office of Human Resources will provide guidance since communicating with the candidate's home department may depend on a variety of factors (e.g. type of information found, when the conviction occurred, relation of the information to the candidate's current job, etc.).

**25. What happens if an *internal* candidate fails to disclose or fails to provide truthful, accurate, and complete information regarding criminal conviction?**

The internal candidate may be ineligible for hire for the current position and may be prohibited from remaining in her/his current position or from future employment consideration. Contact the Office of Human Resources for guidance.

### Records

**26. What are the records retention guidelines for background check results and the Background Check Disclosure and Authorization form?**

Since the background check process was centralized in January 2014, the responsibility for record retention rests with the Office of Human Resources and/or the Medical Center. There are a few other programs required to have results on-site. Record retention guidelines will be included on the unit specific schedules of those units required to retain copies of documents.

For units who maintain background check documentation prior to January 2014, the Office of Human Resources can collect and retain documentation centrally. Please contact the background check team at [HR-Backgroundchecks@osu.edu](mailto:HR-Backgroundchecks@osu.edu) if your unit has documentation you would like OHR to retain.

**27. Who is responsible for retaining the background check records?**

The background check team in OHR retains all background checks for academic colleges/units conducted after January 1, 2014. For background check records conducted prior to that date, for colleges/units who maintain background check documentation prior to January 2014, the Office of Human Resources can collect and retain documentation centrally. Please contact the OHR background check team if you have background check documentation retained in your college/unit.

**28. Where should I keep the background check consent form and background check results?**

Consent forms and results should be maintained by the BCC in a secured file. This file should be separate from the personnel file and separate from other documents generated by the selection process. Storage can be electronic via the third party vendor web-based system or in hard copy as outlined above.

### International Background Checks

**29. Can a background check be conducted on an individual who does not have a social security number?**

Yes. If the individual has not gone through a U.S. Department of State background check, an international check would need to be conducted. The outside vendor will request the identifiers needed to complete the background check per each country's requirements.

**30. What do I do if a candidate granted a visa has received a background check through the U.S. Department of State?**

Candidates who received a background check through the consulate process with the U.S. Department of State for their visa do not need to have an additional background check in their home country completed through the third party vendor. A U.S. only criminal search needs to be conducted. The BCC will select the appropriate search package to conduct a U.S. only criminal search.



## Background Check, Policy 4.15 Frequently Asked Questions

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### Miscellaneous

**31. Are background check results subject to the Ohio Public Records Act?**

Background check results from a third party vendor (consumer agency) are considered public records. Background check results from the Ohio Bureau of Criminal Investigation (BCI) or Federal Bureau of Investigation (FBI) may be considered public records.

**32. Who is required to notify the individual that background check results are subject to the Ohio Public Records Act?**

This notification is included in the Background Check Disclosure and Authorization form.

**33. If a search firm is used to fill a position requiring a background check under Policy 4.15 and the firm conducts one, does the policy still apply?**

If a search firm conducts a background check as part of their screening process, the university will not conduct its own background check provided that the firm is in compliance with the required checks mandated by Policy 4.15. If the firm is not in compliance then the university will conduct its own background check. The background check results must be provided to the BCC from the search firm. The BCC will review and evaluate the results and communicate to the college/unit HRP.

### Who To Contact

**34. Who are the background check coordinator(s) (BCC) and how do I contact her/him?**

The BCC(s) for academic colleges/units are Office of Human Resources employee(s) designated to administer the background check process for the university. The background check team may be reached by calling 614-292-3595 or emailing [HR-BackgroundChecks@osu.edu](mailto:HR-BackgroundChecks@osu.edu). OSU Wexner Medical Center background check information can be obtained by contacting HR Shared Services at 614-293-4995 or Security ID Processing at 614-293-4452.

**35. Where can I obtain additional information?**

Visit <https://hr.osu.edu/wp-content/uploads/policy415.pdf> Policy 4.15

Visit <https://hr.osu.edu/services/background-checks/>

Contact Office of Human Resources, [HR-BackgroundChecks@osu.edu](mailto:HR-BackgroundChecks@osu.edu), 614-292-3595.

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