



SUBJECT: Personnel

Policy 402.2 Pre-Employment Background Check

Effective: November 2014 **Revised:**

Reviewed:

Introduction and Purpose

Great Falls College MSU is committed to protecting the security, safety, and health of employees, students, and others, safeguarding the assets and resources of the College, and assuring individuals in responsible positions are worthy of the trust they are given. Therefore, GFC MSU has adopted a policy requiring Pre-Employment Background Checks.

Policy

Background Checks shall be required prior to employing faculty, professional and classified employees, except as provided below. This policy applies regardless of whether or not a competitive recruitment process is used.

Applicability

1. As a condition of hire, Background Checks are required on all applicants offered a faculty, professional, or classified position which expected to last (6) six months or longer, except for student employees. In addition, in the event an initial employment period of less than six (6) months is subsequently extended to exceed six (6) months, a Background Check must be completed at the time employment is extended.
2. Background Checks are required for students and positions of less than (6) six months which are safety or security sensitive.
3. Background Checks may be required at the discretion of the hiring authority for any student employee or any employment appointments that are less than six (6) months which include safety or sensitive duties such as handling currency, accounts payable, having access to sensitive computerized databases or laboratories, or having access to a master key.
4. Background Checks may be required for employees obtaining safety or sensitive duties, such as a change in positions or significant change in duties as determined by Authorized Initiators.

Previous Background Checks

1. Employees who have a completed background check on file and experience a break in service in employment will not be required to have an additional background check if they have been in an active work status within 18 months.
2. A background check may be required at the discretion of the hiring authority if the employee begins working in a different department or college and/or different job capacity that include safety or sensitive duties such as handling currency, accounts payable, having access to sensitive computerized databases or laboratories, or having access to a master key.

Written notification of requirement to pass a Background Check shall be given during advertisement and/or at the time of application.

Background Checks shall be initiated by Executive Director, Human Resources or designee.

Background Checks shall only be initiated upon receipt of completed and signed Authorization for Pre-Employment Background Check form.

Background Checks will include, at a minimum, a multi-state criminal background check including felonies and misdemeanors, a social security trace, and a National Sexual Offender Registry check. Background Checks may also



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include a credit check (conducted in compliance with the Fair Credit Reporting Act), driver history check, and credentials verification for applicants designated by Human Resources.

The Background Check must be completed before employment begins, except as provided below. Any offers made before a background check has been completed shall be expressly conditional upon successful completion of the Background Check. Employment may begin prior to completion of the Background Check only as a conditional offer of employment. In such cases, Human Resources will provide the hiring authority with condition of hire language.

Results from a Background Check will be considered in the following manner:

1. If the Background Check reveals criminal records or other serious misconduct (other than minor traffic violations), Human Resources may consult with Legal Counsel. In such cases, the Executive Director, Human Resources, Legal Counsel, and, if determined necessary, the hiring authority shall make an initial determination as to whether the Background Check results would disqualify the candidate for the position.
 - a. The group's consideration shall include, but not be limited to, the following factors:
 - i. number of offenses or misconduct and the circumstances of each;
 - ii. length of time between the offense or misconduct and the application for employment;
 - iii. other employment history;
 - iv. evidence of applicant's rehabilitation efforts;
 - v. severity of the offense or misconduct; and
 - vi. the relevance of the offense or misconduct to responsibilities of the position.
2. To the extent required by the Fair Credit Reporting Act (FCRA), applicants will be informed, in writing, notice of adverse information discovered in the Background Check and given an opportunity to respond. Upon conclusion of the review, written notice will be sent to the candidate regarding the employer's decision of eligibility for the position.
3. All results of the Background Check will remain confidential, will be maintained by Human Resources and will be disclosed only to authorized employees who have a need to know in the performance of their job assignments.
4. Failure to disclose criminal convictions requested during the application process may result in disqualification for employment or termination of employment.
5. Disqualification of a candidate based on information discovered in the Background Check is not subject to grievance or appeal by the candidate.
6. Conditional offers shall be withdrawn if the results of the background check are deemed to disqualify the applicant for the position (regardless if conditional employment began).

The investigation will be conducted by a qualified vendor approved by the College to conduct such investigations.

Definitions

Enterprise Refers to any and all campuses, agencies, departments, or entities within the Montana State University.



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Standards of Practice Rules, procedures, or guidelines developed by campus authorities to permit, restrict, or require actions within the parameters of the enterprise policy.

Responsible Party Individual, title, position or group responsible for authority and review of policy or standard of practice.