

Revision Responsibility: Director of Human Resources

Responsible Executive Officer: Vice President for Financial & Administrative Services

Source/Reference: [TBR Guideline P-010 Personnel Transactions & Recommended Forms](#)

PURPOSE

To verify the accuracy of information on an employment application that has been provided by final candidates or employees who are hired, promoted, reclassified, or transferred to ensure that individuals selected or retained possess the qualifications to perform the duties of the position.

POLICY

- I. Application to Applicants and Employees
 - A. Background checks are required for all candidates recommended as a new hire. The College may require background checks for some specified positions to be occupied by employees who are to be promoted, reclassified, or transferred into specified positions, including interim/acting positions. (Appendix D and Appendix E)
 - B. Circumstances may arise for which background checks of current employees would be necessary in order to determine whether their employment status with the institution should be changed.
 - C. All applicants, including current employees, for a position must make application through the on-line application web site at columbiastate.edu and are notified and agree with completion of an application for employment that background checks will be performed with the following statement:

“I hereby authorize the Tennessee Board of Regents or affiliated institution to conduct a thorough investigation of my background, including past employment, and agree to cooperate in such investigation. I hereby release from liability all persons, companies, institutions, or corporations supplying information requested pursuant to this application.”
 - D. The president or his/her designee shall indicate positions within the College requiring background checks.
- II. Restrictions
 - A. Background checks may include, but are not limited to, confirmation of the individual’s identity; credit information; verification of required degree,

certification or licensure for the specified position; employment and reference verification; motor vehicle record; or criminal conviction record, if any.

- B. Initial appointment or continued employment to a specified position is contingent upon the completion of an acceptable background check.
- C. Background checks are to be completed prior to appointing a person to the position. However, should a background check be initiated or the results provided after employment has begun, the results shall be used to assess the employee's suitability for continued employment.
- D. The College will only consider criminal convictions or pleas of *nolo contendere* in determining the applicant or employee's suitability for employment. Detention and/or arrest without conviction do not constitute valid grounds for employment decisions and cannot be considered in the decision-making process.
- E. The office of human resources, and ultimately the director, is responsible for reviewing and evaluating the background information. If the background check report contains information based upon which it is determined that the candidate or employee does not possess the qualifications or characteristics necessary to perform the duties of the position or would not be an appropriate candidate to serve the institution in the specified position, an offer of employment, promotion, reclassification, or transfer will not be made.
- F. If adverse action is to be taken based in whole or in part on the information obtained from the background check, additional provisions of the Fair Credit Reporting Act (FCRA) (Appendix F) shall be followed. Prior to taking adverse action, the office of human resources must provide the candidate or employee with a copy of the background check report, along with a Pre-adverse Action Notice (Appendix B). After the adverse action is taken, the candidate or employee must be given a Rejection Notice letter (Appendix C).

II. Positions Requiring Background Checks

The office of human resources will maintain a list of the types of background checks that will be required of the specified positions, based upon the responsibilities of the position (Appendix D and Appendix E).

III. Types of Background Checks

- A. Felony and Misdemeanor Record
- B. Financial Report
- C. Motor Vehicle Record
- D. Credential or Licensure Verification

IV. Fees

The agency contracted to perform background checks will charge a fee for each check conducted. Fees charged by the background-checking agency will automatically be charged to the department or office that is hiring the position.

PROCEDURES

I. Responsibilities

A. Background Check

1. The office of human resources is responsible for ensuring that the Release Authorization and Fair Credit Reporting Act Disclosure Form (Appendix A) required by the Fair Credit Reporting Act (FCRA) (Appendix F) is completed and returned to the human resources office. A background check cannot be initiated until this form is completed. If the candidate or employee refuses to sign this form, no further consideration will be given to the candidate or employee. (Appendix A).
2. The hiring supervisor is responsible for providing each interviewee at the time of the interview with a "Release Authorization and Fair Credit Reporting Act Disclosure Form (Appendix A), indicating that background checks will be conducted on a candidate for the position that is offered and accepts the position.
3. The office of human resources will process the background check request to the background-checking agency.
4. The human resources office will notify the hiring supervisor of the job-related results.
5. In all instances where information is obtained that would disqualify the candidate or employee, or make him/her a questionable risk for hire, promotion, reclassification, transfer, or continued employment, the director of human resources will discuss the information with the assistant vice chancellor for human resources and the Office of General Counsel at the TBR to ensure the decision is fair and legal, based upon the information obtained.

B. Maintaining Background Release Forms

1. The office of human resources will serve as custodian of the records for background check results.

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2. Results on individuals who become employees of the College will be retained by the agency contracted to perform and retain records of background checks..
 3. Background checks on individuals who were final candidates for a specified position but were not hired will be kept in the office of human resources with the search materials.

C. Education Verification

1. The office of human resources is responsible for ensuring that valid official college transcripts are received for all full-time administrative, professional, and faculty employees. Official transcripts are filed and retained in the office of human resources.
2. Official college transcripts showing the applicable degree are also required for part-time (adjunct) faculty and are maintained in the office of faculty, curriculum and programs.

D. Employment Verification

The hiring supervisor is responsible for ensuring that prior employment and reference checks are completed on applicants for employment. Written offers of employment must be approved by the office of human resources prior to commitment and contain notice that appointment to the position is contingent upon completion of an acceptable background check.