

# Background Checks

HR-02-10



## About This Policy

**Effective Dates:**

07-01-2004

**Last Updated:**

09-24-2013

**Responsible University Administrator:**

Vice President for Human Resources

**Policy Contact:**

[IU Human Resources](#)

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## Scope

This policy applies to all Staff and Temporary employees of Indiana University.

## Policy Statement

1. It is the policy of Indiana University that all new Staff and Temporary employees have certain credentials and criminal and other background information verified as a condition of employment.
2. It is the policy of Indiana University that current Staff employees in the following specified positions have their criminal and other background information verified as a condition of continued employment.
  - a. All current Staff employees who are performing any of the following jobs or functions: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, and CEO Alumni Association.

## Reason For Policy

1. It is important that the University's academic and research missions are supported by qualified employees, with a safe and secure environment for all University constituents, including students, visitors and employees. It is also important that Indiana University take meaningful actions to protect its funds, property and other assets.
2. This policy is intended to support the verification of credentials, criminal history, credit status and other information related to employment decisions that assist the University in meeting its commitments.

## Procedure

1. New Staff Employees
  - a. All new Staff employees must have completed the University's online application for Staff positions, including the criminal history disclosure statement, before they can be offered employment.
  - b. All new Staff employees shall have the following background checks completed as a condition of employment with Indiana University. For each of the background checks identified in this paragraph, the Human Resource office at each campus will determine whether it or the hiring department will perform the background check.
    - i. Employment verification - to be completed by the hiring department or campus Human Resource office
    - ii. Educational verification - to be completed by the hiring department or campus Human Resource office

- iii. License verification - to be completed by the hiring department or campus Human Resource office; except for a required motor vehicle drivers license, which is to be initiated by the hiring department or campus Human Resource office and completed by Office of Insurance, Loss Control and Claims
  - iv. Criminal history check - to be initiated by the hiring department or campus Human Resource office after acceptance of an offer of employment has been received, with final completion by the campus Human Resource office
  - v. Sex and violent offender registry check - to be initiated by the hiring department or campus Human Resource office after acceptance of an offer of employment has been received, with final completion by the campus Human Resource office
- c. Foreign nationals who have been offered employment into Staff positions will be subject to the following provisions:
- i. The verification of education that the candidate has cited that qualifies the individual for the position.
  - ii. The verification of employment that the candidate has cited that qualifies the individual for the position.
  - iii. A criminal history check covering time in the United States if the period of time that the individual has been in the United States exceeds one year.
  - iv. A criminal history check in the individual's prior countries of residence only if the individual's visa and/or authorization to work in the United States was issued before implementation of the Patriot Act on October 24, 2001. The university will not require that a criminal history check be conducted in the individual's prior countries of residence if the visa or authorization to work was issued or renewed under the provisions of the Patriot Act.
- d. All new Staff employees who will be performing any of the following jobs shall also have the below listed additional background checks completed as a condition of employment with Indiana University: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, CEO IU Alumni Association, and other positions as requested by the campus Human Resource office and approved by University Human Resource Services. Additional background checks shall include:
- i. Credit history check - to be completed by University Human Resource Services
  - ii. Tax payment check - to be completed by University Human Resource Services
2. New Temporary Employees (including individuals with student status)
- a. All new Temporary employees must have completed the University's application for Temporary positions, including the criminal history disclosure statement, before they can be offered employment.
- b. All new Temporary employees shall have the following background check completed as a condition of employment with Indiana University:
- i. Criminal history check - to be initiated by the hiring department or campus Human Resource office, after acceptance of an offer of employment has been received, with final completion by the campus Human Resource office
  - ii. Sex and violent offender registry check - to be initiated by the hiring department or campus Human Resource office, after acceptance of an offer of employment has been received, with final completion by the campus Human Resource office
- c. Foreign nationals who have been offered employment into Temporary positions will be subject to the following provisions:
- i. A criminal history check covering time in the United States if the period of time that the individual has been in the United States exceeds one year.
  - ii. A criminal history check in the individual's prior countries of residence only if the individual's visa and/or authorization to work in the United States was issued before implementation of the Patriot Act on October 24, 2001. The university will not require that a criminal history check be conducted in the individual's prior countries of residence if the visa or authorization to work was issued or renewed under the provisions of the Patriot Act.

- d. All new Temporary employees who are hired to perform work that requires a license shall have the following background check completed as a condition of employment with Indiana University:
  - i. License verification - to be completed by the hiring department; except for a required motor vehicle driver's license, which is to be initiated by the department and completed by the Office of Insurance, Loss Control and Claims.
- e. At the discretion of the hiring department or campus Human Resource office, an educational verification and/or employment verification may be performed on a Temporary employee.

### 3. Current Staff Employees

- a. All current Staff employees who are performing any of the following jobs or functions shall have the below listed background checks completed as a condition of continued employment with Indiana University: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, and CEO Alumni Association.
  - i. Criminal history check - to be completed by University Human Resource Services
  - ii. Credit history check - to be completed by University Human Resource Services
  - iii. Tax payment check - to be completed by University Human Resource Services

### 4. Previous Verifications or History Checks

- a. If the university has performed any of the above verification or history checks on an individual within the past year, a new verification or history check of that specific category will not be required. The results of the previously performed verification and/or history check will be considered in any pending employment decision.

### 5. Campus Human Resource office and Hiring Department Responsibilities

- a. The hiring department must review the applicant's university employment application form including the criminal history disclosure statement prior to making an offer of employment.
- b. All offers of employment, oral and written, shall include the following statement: "This offer is contingent on the university's verification of credentials and other information required by state law and IU policies, including the completion of a criminal history check."
- c. Employment verification: It is strongly recommended that this verification be completed before making an offer of employment to any individual; in all cases requiring such, this verification shall be completed within 30 days of making the offer of employment.
- d. Educational and License verifications: It is strongly recommended that this verification be completed before making an offer of employment to any individual; in all cases requiring such, these verifications shall be completed within 30 days of making the offer of employment.
- e. Criminal history check and sex and violent offender registry check: In all cases requiring such, these background checks shall be initiated after acceptance of the conditional offer of employment. The individual is required to complete the University's consent form and provide his or her official name, date of birth and social security number which will be provided to a third-party which the University has contracted with for associated services. The offer of employment must be withdrawn if the individual fails to complete the consent form.
- f. If the criminal history check indicates that there are no convictions, the third party vendor will inform the initiator of the request who in turn will inform the applicant that the employment offer is confirmed.
- g. If the criminal history check indicates that there are convictions, the third party vendor will inform the campus Human Resource office and University Human Resource Services. The campus Human Resource office will provide a copy of the report to the individual. (All related information will be treated as confidential, and protected as such.)
- h. If the criminal history check reveals convictions which the individual disclosed in the application, the campus Human Resource office will review the report with the hiring department. Jointly, they will evaluate each conviction, including any additional information that the individual provides, before the offer of employment is confirmed or withdrawn. The existence of a conviction does not automatically disqualify an individual from

employment. Relevant considerations may include, but are not limited to, the nature and number of the convictions, their dates, and the relationship that a conviction has to the duties and responsibilities of the position. Any decision to accept or reject an individual with a conviction is solely at the discretion of Indiana University. (All related information will be treated as confidential, and protected as such.)

- i. If unreported convictions are revealed in the criminal history check, the offer of employment will be withdrawn and, if employed, the individual will be separated from employment, unless the individual shows that the report is in error. The decision to reject or separate an individual with an unreported conviction is solely at the discretion of Indiana University. (All related information will be treated as confidential, and protected as such.)
- j. In the event that the results of the background check influences a decision to withdraw an employment offer or separate employment, the campus Human Resource office will inform the hiring department and the individual.
- k. For all employment, education, and license checks/verifications required, departments shall maintain records indicating the item checked/verified, the name of the department personnel completing the check/verification, the date of the check/verification, and the status of the check/verification. These records shall be retained in the department's personnel file for the associated employee.
  - i. All results of criminal and sex and violent offenders' convictions or issues are considered confidential and will be maintained in confidential files within the campus Human Resource office.

#### 6. University Human Resource Services Responsibilities

- a. In the event that a criminal conviction is found, the third party vendor will submit the report to the campus Human Resource office associated with the position and University Human Resource Services.
- b. University Human Resource Services will monitor the hiring decisions made in such cases, consult with the campus Human Resource office in helping to resolve cases, and monitor hiring decisions in such cases for consistency.
- c. University Human Resource Services will conduct criminal, credit and tax history background checks for Staff employees in the following positions: Vice President, Vice Chancellor, Associate or Assistant Vice President, University Athletics Director, and CEO Alumni Association. (All related information will be treated as confidential, and protected as such.)
- d. University Human Resource Services will coordinate the receipt and payment of the third party vendor's fees.

7. The employing department will be responsible for any fees associated with any of the components of the background check process. (Schools or campuses may decide to fund the cost of associated fees.)

#### 8. Appeals

- a. An offer to a current Staff employee for a position identified in the Policy Statement above is conditional until completion and review of the criminal history check. If the offer is withdrawn as the result of a background check or if the Staff employee is separated as the result of an unreported conviction, the employee may appeal the withdrawal of the offer or the separation pursuant to the university's problem-grievance procedures.
- b. For all other individuals, the withdrawal of an offer of employment based on the result of a background check may be appealed to the next higher unit head for review but the decision is not subject to the university's problem-grievance procedures.

## Definitions

1. "Credit history check" means checking the credit history of the selected applicant or employee. (Federal laws prohibit discrimination against an applicant or employee as a result of bankruptcy.)
2. "Criminal history check" means verifying that the selected applicant or employee does not have any undisclosed criminal history in every jurisdiction where the applicant or employee currently resides or has resided.

3. "Educational verification" means ensuring that the selected applicant or employee possesses all educational credentials beyond high school listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought.
4. "Employee" is defined as any person employed by Indiana University, whether full- or part-time in a Staff or Temporary position.
5. "Employment verification" means ensuring that the selected applicant or employee actually worked in the positions listed on the application, resume, or cover letter or otherwise cited by the candidate that qualify the individual for the position sought, as well as all employment during a period of at least seven (7) years immediately preceding application at Indiana University. This verification should include dates of employment and reasons for leaving each position.
6. "License verification" means ensuring that the selected applicant or employee possesses all the licenses listed on the application, resume or cover letter or otherwise cited by the candidate that qualify the individual for the position sought and verification of any license required for the position, including verification of the disposition of such licenses. This includes any motor vehicle drivers licenses required for the associated position.
7. "Sex and violent offender registry check" means verifying that the selected applicant or employee does not have undisclosed convictions of sex and violent crimes in every jurisdiction where the applicant or employee currently or has resided.
8. "Tax payment check" means verifying that the selected applicant or employee is current in payment of Indiana state taxes.

## Sanctions

Violations of University policies, including providing false or misleading information used for any of the above background checks, will be handled in accordance with applicable University policies and procedures; which may include corrective actions up to and including separation from the University.

## History

This policy was originally issued effective July 1, 2004 when the University moved to a university-wide approach for conducting background checks for Staff and Temporary employees.

## Related Information

[IU Office of Insurance, Loss Control and Claims Policies related to Motor Vehicle Drivers License](#)  
[IU Office of the Executive Vice President for University Academic Affairs policy related to Programs Involving Children](#)

## Related Forms

[Background Check Consent Form](#)  
[On-Line Application for Staff Positions](#)  
[University Application Form for Hourly Positions](#)