

BACKGROUND CHECK POLICY

Effective Date: This policy applies to those individuals hired or rehired on or after September 1, 2007 (January 1, 2008 for academic appointments). Those hired prior to the effective date, and employed in continuing positions, are not subject to background checks under this policy.

Purpose

Trinity College is committed to providing a safe, secure and productive environment for faculty, staff, students and visitors, and to protecting the College's funds, property and other assets. The College also has a legal duty to make informed hiring decisions in compliance with federal and state laws.

Therefore, in addition to the pre-existing process for ascertaining that the best possible candidates are chosen for employment, it is the policy of the College that all new administrative staff and faculty have certain credentials and criminal and other background information verified as a condition of employment.

The College will ensure that all background checks are conducted in compliance with applicable federal and state statutes, including but not limited to the Fair Credit Reporting Act (FCRA) and Title VII of the Civil Rights Act. Any information obtained during the background check will not be used as the sole basis for denying employment, unless it is determined that the issue relates to an essential job-related qualification or function.

All offers of employment are contingent upon completion of complete and satisfactory findings of all applicable background checks. A new employee may not begin to work until all appropriate background checks have been completed. Falsification of application materials is grounds for non-selection of an applicant.

Procedure

Candidates will be required to sign an authorization to conduct a background check, which will be submitted as part of the application process. Background checks will be performed on the final candidate for a position as a condition of employment, with an offer of employment contingent upon successful completion of the background check. Results are generally available within two business days. A third-party reporting agency will conduct the following background checks:

Employment Verifications - performed for all new hires. Includes all relevant employment information including dates of employment, rate of pay and position held.

Degree Verifications - performed on all hires for positions requiring a degree or professional certification. Includes confirmation of the degree earned, granting institution and the date of acquisition.

Criminal Background Checks – performed for all new hires into administrative staff and faculty positions. A search of public records will be conducted in the areas that the applicant has lived or worked.

Motor Vehicle License Checks - conducted on candidates applying for positions that entail the use of Trinity College vehicles or require a valid driver's license. Additional motor vehicle license checks may be performed throughout employment. For positions that require operation of a motor vehicle, a conviction shall include misdemeanor traffic violations. Pertinent considerations include a record of negligent driving, driving while impaired, loss of license, and/or a pattern of repeated violations. Employees whose positions require driving personal or College vehicles are required to maintain a valid, current driver's license and insurance coverage as long as they are in the position necessitating this requirement. Employees must promptly report any changes in restrictions on their license or in insurance coverage to their supervisor and the Human Resources Office.

Drug screens are not a part of the background check process.

Findings

1. If the background check reveals an unsatisfactory finding relevant to the position, the individual may be disqualified from holding the position. In making such a decision, Human Resources along with the divisional Vice President or Dean and/or hiring manager/chair the will consider the nature of the finding, the job for which the applicant is being considered, when the event occurred and the applicant's conduct, performance and/or rehabilitation efforts since, if provided by the candidate. If the possibility of adverse action exists, Human Resources will provide a Pre-Adverse Action Notice to the candidate. The Pre-Adverse Action Notice is a document prescribed by the FCRA which states that a decision on employment is pending. This is provided along with a copy of the background report and a "Summary of Rights Under the Fair Credit Reporting Act." Upon receiving the notice:

- a. The candidate has a period of 7 calendar days to refute disputed information with the third-party reporting agency conducting the background check on behalf of the College.
- b. If the College does not receive satisfactory information in a timely manner regarding the disputed information, the hiring manager/chair may proceed with the hiring process and select another candidate.

2. If the decision is made to not hire the candidate, a Final Adverse Action Notice is mailed via certified mail to the candidate by Human Resources. The Final Adverse Action Notice is also prescribed by the FCRA, and must be sent to notify a candidate if information obtained from a third-party reporting agency is used, in whole or in part, in the decision to deny employment. It explains the reason for not hiring, and is sent along with an additional copy of the

background report, notice of the individual's rights under the FCRA, and the contact information of the agency.

3. All information received in the background investigation process will be maintained by Human Resources for a period of seven years in confidential, secure files, separate from employee personnel files, with access allowed only to those who have a need to know.