

MONMOUTH UNIVERSITY POLICIES AND PROCEDURES

Policy Name: Policy on Conducting Background Checks for University Employees

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I. PURPOSE

- A. Monmouth University is committed to providing a safe and secure environment for its students and employees and protecting its financial and material assets. In order to achieve this objective, Monmouth University performs background checks on successful external candidates. The purpose of background checks is to identify individuals whose presence in the workplace would create an unacceptable risk to Monmouth University's campus community.
- B. This policy sets forth the procedures that must be followed when conducting background checks on potential employees.

II. APPLICATION

- A. The following employee groups are subject to a criminal background check: administrators, staff, facilities management employees, police, faculty, adjuncts, summer hires, and temporary employees.
- B. An employee may not begin work until all appropriate background checks have been completed. Exceptions to this requirement may only be made by the Provost (for emergency faculty hires), the Vice President for Administrative Services or the Vice President and General Counsel for good cause. In any case when an applicant is allowed to commence employment prior to the receipt of the background check, the individual shall be advised in writing that their continued employment is contingent upon receipt by the University of a satisfactory background check.
- C. Falsification of application materials, including failure to disclose misdemeanor or felony convictions, shall be grounds for refusal or termination of employment.

III. PROCEDURES

- A. The Office of Human Resources must advise each candidate that as a standard condition of offer for a job position at the University, Monmouth University will conduct a background check. Each candidate must be notified that an offer is conditioned upon the results of the background investigation.
- B. All candidates being considered for positions are required to complete an authorization for Monmouth University to obtain a consumer report (as defined in the Fair Credit Reporting Act) from a consumer reporting agency. The consumer report may include a criminal background check, verification of academic credentials, verification of professional licenses, and verification of prior employment. The background check will not include a review of candidate's financial information unless such information is applicable to the job position. Information contained in the background check shall be available to those individuals involved in making employment decisions or performing background investigations. The consumer report shall be used for the purpose of making an employment decision and determining whether or not the applicant qualifies for the requirements of the position.
- C. Candidates shall be informed of any findings of concern and be given the opportunity to verify and reply to them. In considering whether an offer of employment is to be rescinded as a result of any finding based on an applicant's self-disclosure or the background check, Monmouth University shall consider context, which in the case of criminal convictions shall include the seriousness of the crime, the time elapsed since the conviction, and evidence of rehabilitation. The Vice President for Administrative Services shall consult with the Vice President and General Counsel and the area Vice President before making a decision to rescind an offer for a non-faculty position. The Provost and Vice President for Academic Affairs shall consult with the Vice President and General Counsel before making a determination to rescind an offer of employment to a faculty member or adjunct candidate.
- D. If a determination has been made that a candidate should be excluded, or that adverse action should be taken against a current employee, based on an unsatisfactory background check received by a consumer reporting agency, the Office of Human Resources, prior to taking any adverse action against the individual, shall provide the candidate with "A Summary of Your Rights Under the Fair Credit Reporting Act" notice and a copy of the consumer report. The notice shall include:
 1. The name, address, and phone number of the consumer reporting agency that supplied the report;

2. A statement that the consumer reporting agency that supplied the report did not make the decision regarding the adverse action and cannot provide the reasons for the adverse action;
 3. A notice of the individual's right to dispute the accuracy or completeness of any information the agency has furnished; and
 4. A notice of the individual's right to a free consumer report from the consumer reporting agency upon request within sixty (60) days.
- E. A candidate or employee who has received an initial unsatisfactory result and who has sought correction of his or her report under the Fair Credit Reporting Act is not eligible for a listed position until the Office of Human Resources has confirmed the correction and determined that the result is satisfactory. Monmouth University has no obligation to hold a position open to allow a candidate or employee to correct his or her report.