

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

General University Policy
(Final; Information)

GP.16.02 Comments on the Background Check Policy

PREAMBLE: GUP wants to emphasize that in our view the primary justification for this policy must be protecting personal safety and campus security. We also want to underscore the importance of the principle that implementation of the policy must be consistent with the university's commitment to workforce diversity.

University of Illinois Policy On Background Checks

I. Purpose

In an effort to provide a safe and secure environment for all students, employees and visitors at the University of Illinois; to safeguard the University's **integrity**, ~~GUP believes that this word raises the same problems of subjectivity as "reputation"~~ property and resources; and to help ascertain suitability for employment, the University has established the following Policy for conducting background checks (1) for new employees and (2) for current employees transitioning into positions that are security sensitive or critical, which require background checks. This Policy should be consistent with the university's commitment to academic quality and workforce diversity.

II. Overview

Offers of employment made to prospective new hires, as well as offers made to current employees who are seeking to transition into a position that requires background checks by law or existing University (including campus) practice, will be contingent upon the results of the criminal background check and other pre-employment background checks, as applicable.

The University may revoke any conditional offer of employment to an individual who does not consent to applicable background checks. For an individual who does consent to applicable background checks, the University may revoke any conditional offer of employment if the results of the background checks represent an unacceptable level of risk in relation to the job responsibilities or if the background checks reveal the individual lacks requisite qualifications, thus not supporting a reasonable hiring decision.

Each Campus, University Administration (UA), and the University of Illinois Hospital & Health Sciences System (UIHHSS) have the obligation to set guidelines and/or procedures, which must comply and be consistent with this Policy, for conducting criminal background checks for their respective employees. If an individual's criminal background check results indicate that the individual has a criminal record, the University will conduct an individualized assessment, which will include an opportunity for the individual to explain or provide additional information. A criminal record will not automatically exclude an individual from being considered for or being offered employment with the University, as consideration is given to such factors as, but not limited to, the nature and seriousness of the underlying offense/conduct, the relatedness of the offense/conduct to the position being sought, the length of time that has elapsed since the conviction/end of sentence/conduct, and demonstrated rehabilitative efforts.

In addition, each Campus, UA and UIHHSS **already** have in place guidelines and/or procedures as well as best practices for conducting pre-employment background checks other than criminal

background checks for their respective employees, consistent with the job description and applicable federal and state law. These separate background checks may relate to such items as the verification of education and other credentials, verification of employment history, motor vehicle records or credit records, if such checks are required based on the specific position. The Campus, UA and UIHHSS guidelines and/or procedures will include an opportunity for the individual to explain or provide additional information.

III. Individuals Covered

Except as set forth below, this Policy will be followed and criminal background checks and other applicable background checks will be conducted with respect to new hires and current employees transitioning into security sensitive or critical positions, regardless of whether the individual is seeking a position as Faculty, Post-Doctoral Research Associates, Interns, Residents, Academic Professionals (including academic hourly), or Civil Service (including extra help). Except when stipulated in the Campus, UA, and UIHHSS guidelines and/or procedures, background checks will not be conducted with respect to graduate or undergraduate student employees, pre-or post-doctoral fellows, volunteers, individuals appointed to non-paid positions, contractors or other individuals employed by another entity who are not otherwise subject to the University of Illinois Protection of Minors Policy or who will not be assigned to a designated security sensitive or critical position.

The University reserves the right to modify this Policy at any time, **after seeking the advice of appropriate governance bodies.**

IV. Responsibilities

Candidates:

- Provide complete and accurate information relating to the subject of the background check(s) that will be performed, when requested.
- Provide authorization for applicable background checks when requested.

University Administration Human Resources:

- Facilitate University-wide compliance with this Policy to ensure the Campus, UA and UIHHSS guidelines and procedures follow established provisions and protocols for background checks.
- Coordinate the process for soliciting and contracting, as necessary, with an outside vendor to perform background checks on specified individuals pursuant to this Policy.
- Oversee the development, administration, and implementation of this Policy and guidelines and/or procedures relating to, background checks for individuals to be employed by or otherwise associated with University Administration or applicable University Related Organizations (UROs).
- Communicate and provide necessary training regarding this Policy with respect to individuals employed by or otherwise associated with University Administration or applicable UROs.

Each Campus/University of Illinois Hospital & Health Sciences System:

- Ensure that the guidelines and/or procedures developed by each Campus and UIHHSS for all of their respective units (e.g. Colleges, Departments, Offices) comply and are consistent with this Policy.
- Develop, oversee, administer and manage this Policy and the guidelines and/or procedures developed by each Campus and UIHHSS relating to background checks for individuals to be employed by or otherwise associated with their respective units.
- Communicate and provide necessary training regarding this Policy with respect to individuals employed by or otherwise associated with the Campus or UIHHSS.

V. Periodic Assessment of the Policy

The University shall review this Policy at least every three (3) years. This review shall include an assessment of any impact of the Policy on academic quality **or** workforce diversity. This review will be conducted by representative stakeholders, including administration, faculty and staff from each Campus, UA, and UIHHSS, **and its results will be shared with appropriate governance bodies.**

VI. Confidentiality

All records obtained through background checks will be maintained in accordance with record retention and other applicable policies and procedures established by each Campus, UA or UIHHSS. All such records shall be deemed confidential, maintained in a secured, access-restricted file with access limited to only those University representatives who have a need to review or utilize those records in fulfilling their responsibilities under this Policy.

GENERAL UNIVERSITY POLICY

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