

University 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 reputation, property and resources, and to promote sound hiring decisions, the University has established the following policy and guidelines for conducting background checks.

II. Overview

Commencing on October 5, 2015, offers of employment to prospective new hires, as well as offers to current employees who are seeking to transition into a position that requires a background check, will be made contingent upon the results of the criminal background check and other pre-employment assessments. The purpose of these background checks is to ascertain the suitability for employment.

The University may revoke any conditional offer of employment to an individual who refuses to consent to a background check and individuals whose criminal record or history creates an unacceptable level of risk to (1) maintaining a safe and secure University environment, or (2) the University's reputation, property or resources. If an individual's background check indicates a criminal record or history, the University may conduct an individual assessment of the criminal record or history, which may include asking the individual about his/her criminal record or history. A criminal record or history 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.

III. Individuals Covered

Except as set forth below, these guidelines will be followed and a background check will be conducted with respect to new hires and employees transitioning into security sensitive or critical positions, regardless of whether the individual is seeking a position as a faculty member (tenure track, non-tenure track, specialized faculty, or other academic), staff member (academic professional, civil service, extra-help, retiree, or hourly), or medical resident. A background check also will be conducted with respect to all individuals (including University personnel, graduate and undergraduate employees, fellows, volunteers, and contractors) who are subject to the University of Illinois Protection of Minors Policy or who may be assigned to a security sensitive position, as defined by the University.

A background check generally will not be conducted with respect to graduate or undergraduate student employees, fellows, volunteers, individuals appointed to non-paid positions, contractors or other individuals employed by another entity who are not subject to the University of Illinois Protection of Minors Policy or who will not be assigned to a security sensitive position, as defined by the University.

The University reserves the right, however, to modify at any time the categories or groups of individuals who may be subject to a background check.

IV. Responsibilities

Candidates

- Provide complete and accurate information relating to any past criminal convictions, when requested
- Provide consent to a background check, when requested

University Human Resources

- Facilitate University compliance with this policy to ensure campus policies and procedures follow established provisions and protocols for background checks
- Oversee the administration of, and the development and implementation of the policies and procedures relating to, background checks for individuals to be employed by or otherwise associated with University Administration
- Communicate and provide necessary training regarding this policy with respect to individuals employed by or otherwise associated with University Administration
- Coordinate the process for soliciting and contracting, as necessary, with an outside vendor to perform background checks on specified individuals pursuant to this policy

Campus/Central Human Resources


- Develop, oversee, administer and manage the background check policy, guidelines and procedures relating to background checks for individuals to be employed by or otherwise associated with their respective campuses, colleges, departments and units
- Ensure the background check policies, guidelines and procedures developed by that office for its respective campus, colleges, departments and units comply and are consistent with this policy
- Communicate and provide necessary training regarding this policy for individuals employed by or otherwise associated with their respective campuses

V. Confidentiality

All records obtained through a background check will be maintained in accordance with the background check and record retention policies and procedures established by each campus and by University Administration. All such records must be deemed confidential, maintained in a secured, access-

restricted file and be limited in access to only those University representatives who have a need to review or utilize those records in fulfilling their responsibilities under these guidelines.

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Background Check Policy and Implementation

Senate Meeting
September 21, 2015

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Background Check Policy

- Policy Approved by University of Illinois Board of Trustees
 - Approved September 10, 2015;
 - Effective October 5, 2015
- Background checks are conducted by a third-party vendor, [General Information Services, Inc. \(GIS\)](#)
- Currently already have Background Check policy for Security Sensitive Position and Protection of Minors

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Scope of the Background Check

- **The background check review is an individualized assessment of criminal conviction history**
- UIUC's standard background check includes:
 - National, state, and county criminal records
 - National Sex Offender Registry (SOR)
 - Social Security Number verification
- Indefinite time period for record search
- Search committees still responsible for verifying education and work history

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What is NOT included in the background check?

- Arrests with no convictions
- Civil court cases
- Credit history check
- Education verification
- Employment verification
- Social media activities
- Google searches

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Consultation & Guidance Sources

- CIC and other peers
- AAUP
 - *Verification and Trust: Background Investigations Pending Faculty Appointment* (2004)
 - Forthcoming meeting with AAUP UIUC Chapter
- Legal Counsel
- Council of Deans
- Senate Executive Committee
- Senate

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Background Check Policies at other Universities

- Background checks performed for all of tenure system and non-tenure track/specialized faculty members at the time of hire.
 - University of Iowa
 - University of Michigan
 - Michigan State University
 - University of Minnesota
 - Ohio State University
 - Penn State University
 - Purdue University
 - University of Wisconsin-Madison
 - Northwestern University
 - University of California- Los Angeles
 - University of North Carolina
 - University of Texas – Austin
 - University of Virginia

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Institutions that use an indefinite review period

- Northwestern University
- Penn State University
- University of Wisconsin-Madison
- University of California – Los Angeles

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	UIUC	Michigan	UT-Austin	University of Virginia
What is included in job postings	The University of Illinois conducts criminal background checks on all job candidates upon acceptance of a contingent offer.	The University of Michigan conducts background checks on all job candidates upon acceptance of a contingent offer and may use a third party administrator to conduct background checks. Background checks will be performed in compliance with the Fair Credit Reporting Act.	Background check conducted on applicant selected.	U.Va. will perform background checks including receipt of official transcripts from the institution granting the highest degree for all new faculty hires prior to making a final offer of employment.
When is a check completed	After acceptance of a written, contingent offer.	After acceptance of a written, contingent offer.	After acceptance of a written, contingent offer.	After selection for hire.
How is information collected	Online through vendor website	Online through vendor website	Through University website or paper form	Through University form

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	UIUC	Michigan	UT-Austin	University of Virginia
What is included in the check	Criminal misdemeanor/felony convictions, SSN verification and sex offender registry checks	Criminal misdemeanor/felony check, SSN verification, sex offender registry, and education verification	Criminal background check and sex offender registry check and optional employment history and education checks	Social Security Report Examination of Federal Debarment Lists Criminal History (domestic and international, if applicable) Employment Verification Degree Validation Sexual Offender Registry
Who has access to conviction information	Criminal Conviction Review Committee	Appointing unit and HR	HR and hiring unit	HR, Office of the Provost and Responsible Dean
How are non-hiring decisions handled	Criminal Conviction Review Committee consults with Provost Office (faculty) and consults with Dean, hiring unit	Hiring units consults with HR. Legal may be consulted	HR determines that there are relevant convictions, and hiring units will be contacted to discuss the non-hire decision.	The vice president and chief human resources officer (or designee) in consult with the Provost and the dean, along with the Office of University Counsel.

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Sample Job Ad (Ohio State)

Assistant Professor, Social Media Analytics. Ohio State University
Rank: Assistant Professor

Qualifications:

Candidates must be in communication or a related social science field. Successful candidates will have a Ph.D. or be on schedule to earn the Ph.D. prior to August 2015. Applicants should have a demonstrated record of publication in top-tier journals as well as evidence of effective teaching. Complementary research and teaching interests in other communication areas are highly attractive but not essential. Appointment is contingent on the university's verification of credentials and other information required by law and/or university policies, including but not limited to a criminal background check.

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Proposed Review Procedures: Intent

- Reliance on appropriate expertise
 - Human resources
 - Legal
 - Faculty
 - Hiring college/school/department
- Consistent application of criteria and standards
- Limit potential impact on work environment for new faculty

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UIUC Background Check Process

- Hiring unit submits request for background check to Campus HR through HireTouch
- Campus HR determines if check is needed (new hires & existing employee hired into security sensitive positions)
- GIS emails candidate link for online authorization
 - Email comes from:
UniversityofIllinoisHR@geninfo.com
- GIS notifies Campus HR of background check results

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Timing of the Background Check

- After acceptance of a contingent offer letter, prior to beginning work
- Offer contingent upon successful completion of a criminal background check, along with any other pre-employment assessments (e.g., specialized job requirements such as licenses)

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Criminal Conviction Review Process

- Campus HR will provide the candidate with the conviction report and an opportunity to respond and provide any additional information
- Review Committee will consider information from the candidate, assess nexus of conviction to job and make a recommendation to Provost
- The dean and hiring unit will be engaged in a discussion regarding the impact of the conviction on hirability when a problematic nexus is identified
- Campus HR will personally notify candidates who are not cleared for hire
- Information in HireTouch will not distinguish between cleared or non-cleared candidates, will only reflect process is complete
- **No conviction information will be stored or maintained in HireTouch**

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Review of Criminal Convictions

- Conviction information not received until after a contingent offer has been made
- No automatic bars to employment
- **Individualized assessment**

Consideration of conviction history will focus on whether the conviction history has a considerable nexus with the responsibilities of the position and if hired, does this present an unacceptable level of risk to the University community (campus, unit, students, faculty/staff).

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Proposed Review Committee for Faculty/Specialized Faculty

- Campus human resources staff
- Faculty
 - Two tenured full professors (from a pool of faculty)
 - Provost will seek recommendations from the COD and Senate and appoint the committee
- UI law enforcement representative
- Legal counsel serves in advisory capacity as needed
- Committee will meet as needed

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Summary of Procedures

- Written authorization by candidate
- Copy of report shared with candidate
- Candidate given opportunity to correct and/or provide other information prior to decision
- Individualized assessment
- Faculty participation in review process
- Segregation of records; no conviction information stored in HireTouch

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Goals and Values

- Balancing risk while serving our core educational mission and values
- Fair and competitive process
- Careful assessment informed by faculty
- Ongoing monitoring of potential impact with Spring 2016 update to the Senate