

## **BACKGROUND CHECK POLICY** (EFFECTIVE August 2023)

### **Purpose**

Schreiner University places a high priority on safety and security, and strives to provide a safe learning and working environment for all students, faculty, staff and volunteers. This policy establishes consistent standards for criminal background checks.

### **Scope**

This policy is a University policy and applies to all administrators, faculty, staff, and volunteers.

### **Policy**

Except as otherwise provided in this policy, a criminal background check shall be performed on all candidates for employment and new volunteers for Schreiner University. Criminal background checks shall be conducted on candidates recommended for hire, either prior to the extension of an offer of employment, or as part of an offer of employment that is made contingent upon a successful criminal background check.

Finalists for employment must complete and sign a background check authorization form. An applicant's failure to consent to a criminal background check or falsification of any related information is grounds for the rejection of the applicant.

The standard package for a criminal background check conducted through a vendor shall include:

- a. Social Security Number Trace – Authenticates applicant's information and verifies that the social security number is valid and appropriately assigned to the applicant.
- b. Criminal Felony/Misdemeanor by County of Residence – superior and municipal court records in any county in the U.S.
- c. Sex Offender Registry – national sex offender search.
- d. Credit Report – applicants considered for jobs with significant financial and/or fiduciary responsibilities.

Schreiner University complies with the federal Fair Credit Reporting Act (FCRA), federal and state equal opportunity laws and all other applicable legal authority that affects the performing of pre-employment background checks.

The results of a pre-employment background check are confidential and are to be shared with members of Schreiner University on a strict "need to know" basis.

Prior to taking any adverse action, appropriate pre-adverse and adverse action notices will be sent to the candidate pursuant to federal and any state FCRA laws together with a copy of the report.

All candidates shall be individually reviewed and decisions made with respect to employment based upon the totality of the candidate's qualifications and the results of the pre-employment background check. In general the relevance of a particular pre-employment background check

to a candidate's eligibility for employment is based upon the following factors: the nature of the position for which the applicant is being considered, the nature of any adverse information and the age of the adverse information.

Background checks will also be conducted on former employees who return to work for the Schreiner University if the duration of the separation exceeds [30] days. Background checks may also be conducted on current employees every five years at the discretion of Schreiner University if the position dictates the type of background check to be completed. Schreiner University complies with the Fair Credit Report Act, which regulates the use of information gathered by consumer report agencies and which may determine an individual's eligibility for employment.

Although a disqualification is possible, in accordance with federal and state laws, a previous issue does not automatically disqualify an applicant from consideration for employment with Schreiner University. Depend on a variety of factors (for example, the nature of the position, the nature of the issue, and the amount of time that has passed), the candidate may still be eligible for employment.

An offer of employment may be extended to an applicant prior to the completion of the background check. However, the applicant's first day of work in the position must not be prior to the satisfactory completion of the appropriate background check.

When a candidate is not selected based on background check results, the results may be provided as required by Texas law and the Fair Credit Report Act and the candidate may be given an opportunity to refute the information in accordance with the deadlines required by the FCRA. Additional time may be provided to the candidate at the sole discretion of Schreiner University.

Schreiner University reserves the right to decline an applicant or to discipline and/or terminate an employee who has provided false, mislead, erroneous, or deceptive information on an application, resume, or dur an interview or who has omitted material information during the hiring process.

### **Disclaimers**

This Policy does not limit Schreiner University's right to hire, discipline or terminate. This Policy does not create a contract of employment. All employment is at-will unless contract or law applies to the contrary. If false statements, omissions or misrepresentations provided during the pre-employment process are discovered after the applicant is hired, the employment relationship may be terminated.

### **Self-Disclosure of Arrests, Charges, or Convictions**

Schreiner University requires employees to report any criminal arrests, charges, or convictions (excluding misdemeanor traffic offenses punishable only by fine) to Human Resource Services within twenty-four (24) hours or at the earliest possible opportunity. Failure to make the required report may constitute a violation and may result in disciplinary action, up to and including dismissal. The same procedures are required of volunteers.