

**University of Idaho**  
**Background Check Procedures**  
**For Applicants, Employees and Volunteers**

**A. Purpose.** Background checks confirm an individual's suitability relative to the requirements of their employment or volunteer service at the University of Idaho (UI). The University of Idaho requires criminal background checks for new employees and volunteers for (1) positions that involve significant contact with minors, or (2) positions that have been deemed security sensitive by the Assistant Vice President for Human Resources or designee. UI will conduct criminal background checks on current employees as required for position changes or situations that pose a security risk. The University will use the following procedures with respect to the acquisition and use of criminal background information.

**B. Procedures for Criminal Background Checks on Candidates.** Effective July 1, 2003, the University will conduct criminal background checks on all successful candidates, internal and external, including volunteers, for positions that are listed as being subject to a criminal background check. The positions listed in Attachment B (*Criminal Background Checks – Titles*) currently are subject to criminal background checks. These positions involve significant contact with minors or have been deemed security sensitive by the Assistant Vice President for Human Resources or designee. This list is not exhaustive, and the University reserves the right to add or delete positions at any time without prior notice.

B-1. All advertisements, notices, and postings for positions listed as requiring a background check will state: "This position is subject to the successful completion of a criminal background check." Successful candidates for these positions will be offered the position contingent on a satisfactory criminal background check. No candidate for a position requiring a background check shall commence employment until a satisfactory criminal background check has been received.

B-2. All candidates being considered for positions requiring criminal background checks will complete the *Authorization for Criminal Background Check* form (Attachment C). Once an offer has been made, the hiring authority will forward this form to the University's Human Resources (HR). Based on the information provided by the individual, HR will submit the form to a designated consumer reporting agency or appropriate state police office for a criminal background check. Costs associated with criminal background checks will be charged to the hiring unit.

B-3. If circumstances require a job offer be made quickly to a candidate, prior to the completion of the background investigation, the offer must be in writing and include the following statement: "This offer is contingent upon the completion of a satisfactory background investigation." Although the offer may be made, the employee may not begin work in any capacity, including attending New Employee

Orientation, for the University without a completed satisfactory background investigation.

B-4. If the candidate has had a criminal background investigation completed by the University of Idaho within the last 12 months and the results are satisfactory for the position for which s/he is applying, a subsequent investigation may be waived at the discretion of the Assistant Vice President for Human Resources or designee.

B-5. This policy does not apply to employees or volunteers at day care centers who have direct contact with children. These individuals are subject to the criminal history check procedures set forth in I.C. 39-1105, which are conducted by the day care centers in conjunction with the appropriate state agency.

B-6. The University's College of Agriculture and Life Sciences has implemented its own criminal background check procedures for employees and volunteers who have significant contact with minors. Applicants, students, volunteers and employees of the College of Agriculture and Life Sciences may be subject to additional screening requirements pursuant to that policy.

**C. Procedures for Criminal Background Checks for Security Purposes.** If the Assistant Vice President for Human Resources has reasonable grounds to believe that an employee or volunteer may represent an immediate threat to the safety and security of the University community or to the public, the Assistant Vice President for Human Resources or designee may conduct a criminal background check through the Idaho State Police or other appropriate agency. The written authorization of the employee to conduct this check will be obtained in most cases; however, circumstances may exist in which obtaining a written authorization is not possible or feasible, in which case a limited background check through the Idaho State Police or other appropriate agency may be done. Any information obtained through this process will be used solely for the purpose of maintaining the safety and security of the University of Idaho community and will be shared strictly on a "need to know" basis.

**D. Results of Criminal Background Checks.** If the criminal background check identifies convictions, the Assistant Vice President for Human Resources or designee, in consultation with the hiring authority, will determine whether to exclude the candidate or initiate action against a current employee. If the background check is on a current employee, the Assistant Vice President for Human Resources or designee, in consultation with the Risk Management Officer and Unit Manager, will determine what personnel action if any, should be taken. In making this determination, the following factors should be taken into consideration: the nature and details of the conviction, the length of time that has passed since the offense occurred, how the crime relates to the individual's job responsibilities, and any evidence of rehabilitation. The Assistant Vice President may ask for a written explanation of the offense.

D-1. For positions involving significant contact with minors, a record of any of the following convictions will result in automatic exclusion of the candidate or termination of a current employee:

- a. Conviction of any crime against a child or vulnerable adult (including but not limited to child abuse, abandonment, neglect, and statutory rape);
- b. Conviction of any crime of violence;
- c. Conviction of any crime of a sexual nature, including but not limited to lewd conduct, sexual battery, sexual exploitation, rape, and statutory rape;
- d. Conviction of any crime involving use or possession of an unlawful weapon or firearm.

D-2. For purposes of this policy, the term “conviction” will be interpreted broadly and will include pleas of no contest, deferred adjudications, and similar dispositions. If a criminal history report indicates pending criminal charges that, if a conviction resulted, would result in exclusion from employment, the candidate will be excluded from employment until final disposition of the charges.

## **E. Communication of Results and Employee Rights**

E-1. Procedures When The Report Has Been Provided By A Consumer Reporting Agency (e.g., PeopleWise).

- a. 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 criminal background check, HR shall, prior to taking any adverse action against the individual, provide a Pre-Adverse Action Disclosure that (1) notifies the individual in writing of the unsatisfactory result, (2) provides the candidate or employee with a copy of the report, and (3) provides the candidate or employee with a written description of his or her rights under the Fair Credit Reporting Act.
- b. After the adverse action has been taken, HR will provide the candidate with an Adverse Action Notice, which includes (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; and (3) a notice of the individual’s right to dispute the accuracy or completeness of any information the agency has furnished, and his or her right to an additional free consumer report from the agency upon request within 60 days.

- c. 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 Assistant Vice President for Human Resources or designee has confirmed the correction and determined that the result is satisfactory. The University has no obligation to hold a position open to allow a candidate or employee to correct his or her report.

E-2. Procedures when the Report Has Been Provided by a Governmental Agency (e.g., Idaho State Police)

- a. If a decision has been made to exclude a candidate, or initiate action against a current employee, based on an unsatisfactory background check, HR shall (1) notify the individual in writing of the unsatisfactory result, and (2) provide the candidate or employee with a copy of the report.

**F. Record Keeping.** Criminal history information collected under this policy shall be kept in the confidential personnel file of the employee or file of the volunteer and the hiring packet, if applicable. For those candidates not hired, the criminal history information will be kept with the hiring packet. The information shall be used for the sole purpose of evaluating the candidate or employee and shall be disclosed only as permitted or required by law.

**Titles Subject to Background Checks**  
**June 2003**

The following titles will be subject to background checks prior to hire. Additional titles will be added as necessary. The titles are not exclusive; if a position has, as a major function, the tasks associated with one of the titles listed below, the position will be subject to a background check (i.e. a Technical Records Specialist 2 who handles deposits or money as a major function of his/her job will be subject to a check). In addition, hiring authorities who are interested in background checks for positions that are not listed below should contact Employment Services before the hiring process begins.

- All Volunteers working with individuals under the age of 18 unsupervised
- Arboretum Horticulturalist
- Asbestos Program Coordinator I or II
- Associate Accountant
- Campus Veterinarian
- Cashiers
- Chemist
- Chemist Sr.
- Construction Inspector
- Custodians
- Custodian Foreperson
- Custodian Lead
- Electrician
- Engineering Biodiesel Specialist
- Events Lead
- Events Security Coordinator
- Farm Assistant
- Farm Assistant, Sr
- Farm Laborer
- Fire Systems Technician
- Fuel Supply Handler
- Hazardous Materials Technician or Specialist
- Herdsperson
- HVAC Mechanics
- Industrial Hygienist
- Lab Radiation Specialist
- Lab Safety Specialist
- Lab Technicians
- Locksmith
- Maintenance Craftsperson
- Maintenance Craftsperson Lead
- Manager, Cattle Operations/Research
- Manager, Dairy
- Manager, Ranch/Scientist
- Manager, Research Animal Lab

Manager, Vandal Meat Labs  
Occupational Safety Technician  
Occupational Safety Specialist  
Plumber  
Power Plant  
Radiation Safety Technician I or II  
Research Support Scientists I, II, III  
Research Technicians  
Resident Assistants  
Resident Directors  
Safety Officer  
Safety Technician  
Scientific Aides  
Scientific Aides Sr.  
Storekeeper for Chemistry  
Supervisor, Feedmill  
Supervisor, Garage/Motor Pool  
Supervisor, Ranch  
Team Cleaning Lead  
Team Cleaning Specialists  
Veterinary Tech Asst

Other positions as requested by the hiring authority.