

Cheyney University Policy FA-2010-4028

Policy on Criminal Background Investigations

Approved by: Finance and Administration Council/ President's Cabinet

History: Issued -- 2-17-2009

Related Policies: n/a

Additional References: n/a

A. Purpose

This policy is implemented in compliance with Pennsylvania State System of Higher Education Board of Governors Police 2009—1 to ensure a consistent level of Criminal Background Investigations for appointees for all positions in the Pennsylvania State System of Higher Education (PASSHE). Nothing herein is intended to contradict or lessen compliance with applicable federal and state laws or regulations.

B. Scope

This policy applies to all newly hired employees and individuals granted official volunteer status at Cheyney University but does not apply to student employees hired via Cheyney University's Student Payroll.

This policy does not replace or change the specific background verification process already in place for Public Safety and Police Services employees.

This policy does not apply to temporary employees of a transient nature hired into the Conference Services Programs. These employees will be required to have appropriate Act 34 and 151 clearances prior to commencing employment and will be monitored by Conference Services and Athletics as appropriate.

C. Definitions

Criminal Background Investigations include inquiries to determine past criminal convictions.

All inquiries must comply with all state and federal laws.

Newly Hired includes all first time employees of Cheyney University and those returning to employment after a break in service of one year or more.

D. Policy & Procedure

1. Employment Applications.

Prior to an offer of employment candidates must complete and sign an employment application.

The candidate's signature authorizes the University to investigate all statements made on the application and permits the references and past employers to respond to questions concerning information contained in the application and concerning the candidate's fitness for employment.

All employment applications will contain the following criminal history section:

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CRIMINAL HISTORY:

CRIMINAL OFFENSE includes felonies and misdemeanor offenses.

CONVICTION is an adjudication of guilt and includes determinations before a court, a district justice or magistrate and pleas of *nolo contendere* (no contest) that result in a fine, sentence or probation.

For this question disregard: minor traffic violations (no points), offenses committed before your 18th birthday which were adjudicated in juvenile court under a Youth Offender Law, and any charges which have been expunged by a court or for which you successfully completed an Accelerated Rehabilitative Disposition Program.

A "Yes" answer is not necessarily a bar to employment.

If you answer "Yes", please provide a written explanation.

WERE YOU EVER CONVICTED OF A CRIMINAL OFFENSE? YES NO

The candidate must also execute an authorization that allows the University to request/conduct a Criminal Background Investigation. This authorization, mandated by the Fair Credit Reporting Act, must be a document separate from the employment application. Refusal to sign the authorization for the release of information will result in the candidate being eliminated and disqualified from the applicant pool.

2. Completion of Investigation

Criminal Background Investigations shall be completed only on the successful candidate prior to employment, except when to do so would jeopardize successful completion of the search. In the event of delay in completing background investigations prior to the offer of employment, the letter of offer must indicate that the offer is conditional pending satisfactory results of a background investigation.