

Wheaton College

Background Check Guidelines for Staff

Background Check Policy & General Information

It is important that Wheaton College, in fulfilling its mission, provide the safest possible environment for its students, faculty, staff and visitors, preserve college resources, and uphold the reputation of the college. Accordingly, it is the policy of Wheaton College that:

1. All new staff and certain volunteers must have certain credentials, criminal and other background information verified as a condition of employment.
2. Current staff members, including temporary and volunteer staff, may have their criminal and other background information verified periodically as a condition of continued employment.
3. Current staff who transfer to positions with access to or control over sensitive financial information will have background information verified as a condition of employment.

Background checks are conducted by an outside firm, are in compliance with federal and state regulations, and may include verification of educational and employment credentials, criminal history, credit status, driving record, and other information related to employment decisions by the college.

In the event that the results of the background check lead to a decision to withdraw plans to make an employment offer or to terminate employment, the Human Resources Department will inform the affected department and the individual. (See Adverse Action section, below) Background check results are considered confidential and are maintained in confidential files in the Human Resources Department.

Violations of college policies, including providing false or misleading information used for any of the above background checks, will be handled in accordance with applicable college policies and procedures.

Scope of Background Checks

Background checks will be conducted by an outside firm, Creative Services Incorporated (CSI). Wheaton College will incur the costs of conducting required background checks. Depending on the nature of the position, background checks may include some or all of the following components:

Criminal History Check – State, County and Federal criminal records will be researched through county, municipal and U.S. District courts in the applicant's jurisdiction. These searches will reveal warrant, indictments, pending cases, felony and misdemeanor convictions.

Civil History Check – County and federal courthouse civil records will be researched in the applicant's jurisdiction. These searches will reveal involvement as a plaintiff or defendant in a civil suit. Civil suits at the county level encompass such matters as small claims disputes, breach of contract and real estate foreclosures, and at the federal level, constitutional issues and bankruptcy records.

Sex Offender Registry Search - Most states maintain a sex offender database that is available as a source of public record. Individuals convicted of such crimes as sexual assault, aggravated criminal sexual conduct, luring or enticing, and kidnapping, or who have been found to be repetitive and compulsive by experts and the courts, are required to register with their state authorities. Specific registration requirements are dictated by state laws and are based on dates of offense, sentence and/or release from custody. Consistent with the scope of the Criminal History Search, a search will be conducted in the applicant's name, in the state(s) of the applicant's residence, if a statewide repository is maintained and accessible as public record.

Education and/or Degree Verification - The highest degree (including high school diploma or GED) earned by an applicant and dates of attendance will be verified through the issuing educational institution or appropriate academic verification clearing house.

Employment Verification - Employment listed on the applicant's employment application and/or resume will be verified through the respective employers.

Motor Vehicle Driving Record Check - This report will be obtained through the motor vehicle division of the state in which the applicant is licensed, and provides information relating to license class, restrictions, status and expiration date, violations, revocations, suspensions, accidents and insurance cancellations.

Social Security Number Trace - This search reveals all names and addresses historically associated with the applicant's provided number, along with the date and state of issue, and verifies if the number is currently valid. This search may also reveal the use of multiple social security numbers, AKAs/aliases, and additional employment information that can then be used to determine the parameters of other aspects of the background investigation.

Credit History Check – Credit history checks are requested only for the Officers of the College and for those in positions with access to or control over financial information, including but not limited to personal and confidential data (PCI), the college's bank and investment account, cash, checks and payroll records. Credit reports will be obtained from one or more of the major credit bureaus. These reports identify trade accounts, credit limits, balances, payment history, collection accounts, bankruptcies and tax liens.

Ordinarily, background checks for new staff members will include verification of educational and employment credentials, a driver's license check if the position requires driving a college, rental or personal vehicle, a criminal history check, the sexual offender registry search and a social security number trace. Periodic background checks for current staff will ordinarily be limited to a criminal history check and the sexual offender registry check, and a driver's license check if the position requires driving a college, rental or personal vehicle.

Authorization and Consent Forms

All final candidates will be required to complete and sign "Release and Authorization" and "Notice and Consent" forms including CORI-specific request/authorization form as appropriate. Refusal to complete and sign these forms, or forms that are missing information or incomplete, will disqualify a candidate for consideration for a position or employment at Wheaton College.

In addition, current Wheaton employees will be required to complete these forms periodically.

All those who complete the required background check forms will be given a copy of the Federal Trade Commission's publication, "A Summary of Your Rights Under the Fair Credit Reporting Act".

Requesting a Background Check

Requests for background checks will be made to the third party vendor, Creative Services Incorporated (CSI). Requests may be made via mail, fax or on-line. Human Resources will complete a Background Screening Request form and forward it along with the candidate's resume and/or application, "Release and Authorization" form and "Notice and Consent" form.

CSI will provide Wheaton with the results of the initial background investigation in the form of a Background Summary Report within several business days. Sexual Offender Research results may take up to an additional two to three weeks.

Results of Background Checks

After the background check has been completed, CSI will forward a Background Summary Report to the Human Resources office. The report will be reviewed by Human Resources. If relevant adverse

information is found in the background check, Human Resources will review the information with the Division Officer in order to determine a course of action.

Adverse Action Based on Results of Background Checks of Candidates

Decisions about hiring a candidate or promoting or retaining an employee based on the results of a background check where there may be negative or adverse information, will be made by Human Resources in consultation with the Division Officer. The decision will be based on an assessment of the risks to the college community and the college's resources.

Falsification of any application materials, including failure to disclose any convictions, is grounds for immediate termination of employment or refusal of employment.

Criminal convictions will not automatically disqualify an applicant from employment. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

- (a) Relevance of the crime to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof;
- (i) Any other relevant information, including information submitted by the candidate or requested by the college.

Employees whose positions require driving college owned vehicles are required to maintain an unrestricted, valid driver's license and to maintain a safe driving record. Employees must promptly report any changes in restrictions in their driver's license to their supervisor and Human Resources.

All current Wheaton employees must immediately notify Human Resources of a conviction for a felony, first or second degree misdemeanor, or any drug, alcohol or sex-related offense. Failure to report such conviction is grounds for disciplinary action up to and including termination of employment.

Should Wheaton College be considering an adverse decision based on background check information, the applicant or employee will be notified:

- Immediately;
- Of the source of the background check report;
- Of the specific item from the report that may result in adverse action (this is only required if the source of the information is DCJIS/iCORI);

And will be provided a copy of:

- The Wheaton College Background Check Policy (this is only required if the adverse decision is based on information within the MA CORI records);
- Background Check Report; (Criminal Offender Record Information);
- A Summary of Rights under the Fair Credit Reporting Act (the legislation that governs all background check procedures);
- Information Concerning the Process for Correcting a Criminal Record (this is also only required if the adverse decision is based on MA criminal history information).

The applicant will be provided a reasonable opportunity to dispute the accuracy and relevance of the background check information, as required by law.

A final employment decision should not be made by the hiring department until any new information is gathered and considered or at such time that the applicant or employee fails to respond as required.

In the event of an applicant dispute, CSI will conduct all follow up required.

Offers of Employment

An offer of employment should not be made prior to the completion of the initial background check. Once the initial background check has been satisfactorily completed, a contingent offer of employment may be extended pending the results of the Sex Offender Registry Search.

Adverse Action Based on Results of Background Checks of Current Staff Members

Should Wheaton College be considering an adverse decision regarding a current staff member based on background check information, Human Resources will notify the staff member:

- Immediately;
- Of the source of the background check report;
- Of the specific item from the report that may result in adverse action (this is only required if the source of the information is DCJIS/iCORI);

And the staff member will be provided a copy of:

- The Wheaton College Background Check Policy (this is only required if the adverse decision is based on information within the MA CORI records);
- Background Check Report; (Criminal Offender Record Information);
- A Summary of Rights under the Fair Credit Reporting Act (the legislation that governs all background check procedures);
- Information Concerning the Process for Correcting a Criminal Record (this is also only required if the adverse decision is based on MA criminal history information).

The staff member will be provided a reasonable opportunity to dispute the accuracy and relevance of the background check information, as required by law.

In the event that the staff member disputes the findings of the background check, CSI will conduct all follow up required.

Record Retention Guidelines

Wheaton College will ensure that background checks are conducted in compliance with all federal and state regulations and that information obtained from a background check will only be used as part of the employment process and for evaluation of a candidate's and current employee's suitability for employment at the college. All information will be filed separately from employee files and will be kept strictly confidential.

The college reserves the right to determine and/or amend its policy concerning background checks.

Effective July 1, 2005 for Staff

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