**Northeastern Oklahoma A&M College Policies**

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| **BACKGROUND CHECKS** | **N3-0771**  **ADMINISTRATION and FINANCE**  **May 2023** |

PURPOSE

1.01 Northeastern Oklahoma A&M College (NEO) is committed to providing a safe and secure environment for the College community in support of its overall mission. In particular, this policy is intended to help NEO achieve its goal of providing a safe and secure environment, especially for students, vulnerable members of the population, and those likely to be in subordinate positions, by requiring the use of background checks in the hiring process for all faculty, staff, and volunteers.

SCOPE

2.01 This policy applies to all candidates employed or volunteering after May 1, 2023, including full-time or part-time staff, faculty including adjuncts, and volunteers.

POLICY

3.01 Northeastern Oklahoma A&M College requires background checks for all newly hired faculty and staff that are full-time or part-time. This also includes volunteers. Background checks shall be required prior to employment (post-offer, pre-employment) or prior to volunteer service.

3.02 Offers of employment will be contingent upon completion of the background check process and a determination that the results of that check are satisfactory to NEO. Faculty, staff, or volunteers who have a break in employment of more than twelve months must have a background check when they return under the same conditions as new hires/volunteers.

3.03 A background check may be required for current faculty, staff, and volunteers changing positions/departments due to a transfer, reassignment or change in status (e.g., part-time to full-time), unless the person has already had a background check which is specific to the newly assumed position within the last twelve months. Promotions in rank do not require additional background screening.

3.04 The background check may include: address verification; social security number verification; military history; a county, statewide and federal criminal records search; search of sex offender registries; driving records; and examination of state and federal debarment lists. Where appropriate, the background check will include verification of academic credentials.

3.05 A more comprehensive background check may be required pursuant to a NEO administrative decision, local, state, or federal law, or for certain sensitive positions.

4.01 Confidentiality

All background check results and records are reviewed and handled in a confidential manner and in compliance with all applicable federal, state, and local laws, including the Fair Credit Reporting Act (FCRA). The background check results will be confidentially kept within NEO Human Resources. As needed, this information will only be shared with the President or his/her designee, and/or other authorized individuals upon a determination that they need to know the information in order to perform their official duties.

5.01 Background Check Review

A. NEO Human Resources will review background check results. If no adverse information is reported in a background check, satisfactory completion will be recorded by NEO Human Resources.

B. However, if adverse information is reported, further review will be conducted. Human Resources will notify the applicant of the adverse information and the applicant will have five business days to contact the third party vendor to correct or update the information if he or she feels the information is inaccurate. Upon completion of this, NEO Human Resources will share with the President or his/her designee the background check results for a final determination of employment eligibility. The Board of Regents Office of Legal Counsel and/or the NEO Campus Police Department will provide advice and consultation as requested.

C. A previous conviction will not automatically disqualify prospective or current faculty, staff, or volunteers from employment or volunteering with the College. The persons listed above in 5.01(B) will review factors including but not limited to: failure to self-disclose the criminal history, inconsistency of self-reported information as compared to the criminal records/background report, the nature and seriousness of the offense, the circumstances under which the offense occurred, relationship between the duties to be performed and the offense committed, the age of the person when the offense was committed, whether the offense was an isolated or repeated incident, the length of time that has passed since the offense, past employment and history of academic or disciplinary misconduct, evidence of successful rehabilitation, whether there is a statutory prohibition related to the offense, and the accuracy of any information provided.

D. If there is a recommendation to withdraw a conditional offer of employment or volunteer request, or if there is other adverse recommended, the President of the College or his/her designee will make the final decision. In compliance with the Fair Credit Reporting Act (FRCA), the President or his/her designee will notify the prospective or current employee or volunteer if information obtained from the background check may be used, in whole or in part, in the decision to deny employment or volunteer opportunity or as the basis for any adverse employment action.

E. Any disciplinary action involving a current employee would proceed pursuant to policy. Prospective and current employees and volunteers who fail to disclose criminal convictions, misrepresent, or fail to provide accurate details regarding criminal convictions, and or fail to cooperate in the background check process may have their condition offer of employment or to volunteer withdrawn and/or may be subject to disciplinary action under NEO Human Resources policy, and where applicable local, state, or federal statute.

6.01 Subsequent Verifications

A background check may be requested or performed after the initial check covered by this policy in accordance with applicable policies, procedures, or practices of the College. NEO reserves the right, at its sole discretion, to amend, replace, and/or terminate this policy at any time.

Approved:

April 12th, 2023