

Policy: **Criminal Background Investigations (Staff, Contract Professional, Contract Administrator, Faculty, Letters of Appointment Vacant Positions)**

Adopted: 03/2003

Revised: 07/2016

PURPOSE

The University is committed to protecting the security, safety, and health of faculty, staff, students and others, as well as safeguarding the assets and resources of the University of Montana-Missoula.

POLICY

Criminal background investigations are a contingency of employment for non-temporary staff members, contract administrators, contract professionals, all faculty members including adjuncts, individuals on Letters of Appointment, and designated temporary staff members. This policy includes positions for which recruitments are conducted, along with individuals hired through approved recruitment exceptions.

PROCEDURES:

I. Notification:

All candidates for covered staff, contract administrator, contract professional, Letter of Appointment and faculty positions will be notified via email of the requirement to complete and successfully pass background investigations.

The University of Montana contracts with Accurate Background, Inc. to conduct domestic background checks.

After 10 days of inactivity, the background check will be cancelled and must be re-initiated.

II. Initiation of Investigations:

- A. *Recruited Positions:* After completion of the initial application screening, interviews, and reference checks, the hiring authority/committee will select finalist for offer. Prior to offering the position to the finalist, justifications must be submitted in SilkRoad Recruiting system to the HRS Recruitment Office for approval. After HRS Recruitment Office approves offer, an offer of employment may be extended contingent on the outcome of criminal background investigations.

After candidate accepts offer, hiring authority notifies Recruitment Team via email of start date.

Recruitment Team will initiate the background check.

Candidate receives invitation to complete background check from Accurate Background, Inc. and has 10 calendar days to submit the information to Accurate Background.

- B. *Temporary Staff:* Temporary staff members expected to be employed at least six (6) consecutive months are subject to criminal background investigations.

In the event an initial employment period of less than six (6) months subsequently extends to exceed six months, a criminal background investigation must be completed at the time employment is extended.

When HRS receives the temporary employment hire form, HRS issues the background check.

C. *Recruitment Exceptions:* The HRS Recruitment Office will initiate a background check when the Director of Equal Opportunity and Affirmative Action approves a recruitment exception, and all parties have signed the Hiring Authorization Form.

D. *Adjuncts:* All adjuncts are subject to criminal background investigations. If an adjunct is not hired through a recruitment, a background check will be issued after hiring paperwork is submitted to HRS.

Adjuncts with a break in service of greater than three (3) consecutive semesters, excluding summer session, will require a current background check to be conducted.

III. Offer of Employment

Any offer of employment is contingent on the outcome of criminal background investigations. Immediate dismissal will occur if criminal background investigation results are unsatisfactory.

IV. Investigation Results

The Chief of University of Montana Police Department (UMPD), or his designee, will convey results of background investigations, to the Associate Vice President (AVP) HRS. If background investigations result in the detection of criminal records, the Chief of Police or designee and AVP of HRS, in consultation with Legal Counsel, will determine the candidate's appropriateness for employment. If necessary, the hiring authority, Executive Officer, and/or President will be consulted, and the hiring authority will be notified of the decision.

In determining whether criminal convictions will preclude individuals from being hired, the University will consider the number, nature, gravity, recency, and job-relatedness of any records, along with rehabilitation efforts and success.

Results of the background investigations will remain confidential, will be maintained by UMPD, and will be shared with authorized individuals only on a need-to-know basis. Criminal background investigation results are protected by laws and regulations governing confidential criminal justice information.

V. Cost

Hiring departments will pay the costs associated with background investigations. Costs will vary based on locations candidate has lived.

VI. Breaks in service

- A. For non-temporary staff, faculty, contract administrator, contract professional, letter of appointment employees and temporary employees¹ with a break in service greater than one (1) year will require a current background check to be conducted.
- B. Adjuncts with a break in service of greater than three (3) consecutive semesters, excluding summer session, will require a current background check to be conducted.
- C. For MPEA Layoff Pool and Transfer Pool members, a new background check will be required after their Layoff Pool eligibility has expired.

¹ For temporary employees required to complete a background check as outlined in Section II.