

Seminole State College Background Check Procedure

OVERVIEW

Seminole State College is committed to ensuring the safety of its faculty, staff, students, and members of the public who have a relationship with the college, and will deny employment or volunteer appointment of any individual with a criminal conviction that may create an unacceptable risk to the institution. Determination of risk includes consideration of the relationship of the conviction and the position for which the person has applied and whether the position has access to students and minors.

As part of the employment process, a background check will be conducted for all applicants hired as regular employees of Seminole State College, which includes administration, faculty, professional, and classified, staff. Temporary, seasonal, work study and volunteer appointments will be considered based upon the nature of work duties and interaction with students and minors. Hiring supervisors are responsible for communicating background check requirements to applicants prior to beginning work. In addition to a criminal background check, a credential/licensure, and motor vehicle check may be required as part of the background check for employment when appropriate.

Background and credential checks are performed by the Seminole State College Police Department and Human Resources Department with national search results, and all background checks include sex and violent offender search, multi-state criminal search, debarment and suspension lists, and county criminal history review. If driving is an essential function of the position, a motor vehicle report (MVR) will be included in addition to the background check. If financial or senior leadership responsibilities are essential functions of the position, the background check may also include civil litigation, bankruptcy and tax lien records.

In determining the appropriate type and extent of a background check, the hiring supervisor and Human Resources will consider the following parameters:

- Direct responsibility for the care, safety and security of people (especially minors and other vulnerable populations) and personal information.
- Direct access to or control over, cash, checks, credit cards, account information, or significant budgetary responsibilities.
- Essential functions of the position include driving or operating a Seminole State College-owned vehicle.
- Essential functions of the position require particular certification, licensure, or education.
- The nature of work duties and interaction with students and minors.

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Specific information discovered through the background check will not be shared with the hiring department and will not be included as part of the personnel file. If questions arise in determining eligibility for employment, Human Resources will consult with the President of the College.

BACKGROUND CHECK PROCEDURE FOR HIRING NEW EMPLOYEES

Position requirements and advertisements on the Seminole State College website must contain a notification stating “Employment is contingent upon successful completion of a background check.” It is recommended that the hiring manager reiterate requirements for successful completion of a background check is required for employment.

Following authorization of employment offer by Human Resources, disclosure and notification documents will be issued to the candidate selected for the position prior to beginning work. Once the background authorization is signed and returned by the candidate, Human Resources will conduct the appropriate background check dependent upon parameters described above and determine whether the candidate is eligible for hire. If the background check is satisfactory, Human Resources will inform the hiring manager/search committee chair and the candidate may begin working.

ADVERSE BACKGROUND CHECK

When a background check reveals information that renders the candidate ineligible for hire, Human Resources will notify the hiring department and the candidate of such ineligibility. Human Resources will distribute a copy of the report to the candidate with formal notification of the hiring decision in writing. The candidate will then be provided five (5) business days to contact Human Resources and dispute or provide satisfactory explanation of the event/conviction. Upon absent notification of dispute, the employment offer will be withdrawn and the hiring manager may proceed with the selection of another candidate. However, as part of Title VII of the Civil Rights Act, this information cannot be used as a basis for denying employment, unless it is determined to be job-related.

In review of background check results, Human Resources will consider the nature and gravity of the finding, relationship to the position hired, amount of time passed, rehabilitation efforts since the event, and any other appropriate individual circumstances.

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PROCEDURE FOR CURRENT EMPLOYEES

All current employees are required to self-disclose criminal convictions or felony charges filed against them that occur on or after the effective date of this policy within three business days of the conviction or felony charge to Human Resources. Employees failing to self-disclose may be subject to disciplinary action, up to and including termination. Members of management who have credible knowledge of a conviction or felony charge have an obligation to report the information to Human Resources. Also, if a current employee's position includes duties directly related to the parameters outlined above under new hires they are required to have their criminal and other background information verified as a condition of continued employment.

If an employee's work duties include operation of a motor vehicle and the employee is charged with a violation of laws governing operations of motor vehicles, or if any employee is charged with a felony or a serious misdemeanor, the employee must notify Human Resources. This notification requirement includes convictions that occurred prior to dissemination of the procedure. Members of management who have credible knowledge of such a conviction are expected to disclose the information to Human Resources. When administration becomes aware of a charge, conviction, or event that may create institutional risk, Human Resources may conduct an administrative investigation and, in consultation with Seminole State College administration, will determine the appropriate course of action.

Additionally, a background check may be appropriate when an employee is offered a promotion or new position within the organization that warrants a criminal, credential, driving or credit review as described in the policy.

VOLUNTEERS, INDEPENDENT CONTRACTORS & SEMINOLE STATE COLLEGE SPONSORED PROGRAMS/EVENTS

Seminole State College may contract vendors, host or sponsor events, and utilize volunteers or members of the public to provide staffing. It is the responsibility of the program coordinator or Seminole State College employee contracting the vendor to notify Human Resources if through the nature of the work, it can be reasonably expected he or she will directly interact with minors or other vulnerable populations, particularly in a one-on-one environment. If it is determined that a background check is required and must be conducted by the College, a successful background check must be completed prior to the event to ensure safety and compliance with insurance requirements.