

4-22: Background Check Policy

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I. BACKGROUND AND PURPOSE

Fort Lewis College (FLC) is committed to ensuring that academic positions are filled by qualified faculty and staff. It is crucial that individuals hired do not pose threats to the physical safety of the campus community and do not pose unacceptable risks to the integrity of financial processes, assets, and records. To meet this standard, reasonable efforts will be made to check the background information of individuals being considered for employment.

The purpose of conducting a background investigation is to verify, within legal and professional limits, the credentials and suitability of the candidate. Fort Lewis College ensures that newly hired faculty and staff members are well-qualified, have strong potential for success, have honestly presented their background and credentials, and have fully disclosed relevant information to the hiring decision.

This policy and the following procedures are designed to assist applicants, employees, and supervisors in understanding the considerations and processes involved in conducting background investigations. It also serves to aid in making decisions regarding the information obtained.

II. POLICY

It is the policy of Fort Lewis College to conduct background investigations as a condition of employment for all employees except student employees. Employment is contingent upon the successful completion of the background investigation for the selected applicant. Certain student positions may also be subject to the Background Check Policy depending on the nature of the position.

Fort Lewis College reserves the right to conduct background investigations on current employees if deemed necessary.

Background investigations may be required for non-remunerative appointees, depending on their role and function within the college community. The decision to require a background investigation for a non-remunerative appointee will be made by the department supervisor in consultation with the Human Resources Office and, if appropriate, the President or relevant Vice President (or their designee).

Background checks may include, but are not limited to, verification of employment history, educational credentials, licenses held, criminal history, sex and violent offender registry, driving records, and social security number validation. While the specific checks conducted will vary depending on the position, criminal history verification will be performed in all cases.

The hiring department will inform applicants invited for an interview about the background investigation requirement. If an individual offered employment fails to provide consent for a background investigation, the employment offer will be withdrawn.

A criminal history or conviction does not automatically prevent an individual from employment. Reports will be reviewed on a case-by-case basis, with the department supervisor, the responsible Vice President or President (or their designee), Human Resources, and Legal Services evaluating the relevance of the information.

III. PROCEDURES

1. Individuals offered employment will complete a background investigation disclosure and authorization through the current background check provider.
2. Employment is contingent upon the results of the background check. All offers must include: "This offer is contingent upon the College's verification of credentials and other information required by College policies, including the completion of a criminal history background check."
3. Applicants must provide accurate information to conduct a thorough background check. Failure to comply eliminates the applicant from consideration.
4. Hiring departments are responsible for verifying employment references.
5. Human Resources will contract with an appropriate agent to conduct the background investigation.
6. If criminal history is revealed, the nature of the offenses, time elapsed, and relevance to the position will be considered.
7. If the background check raises concerns, Human Resources will provide the individual with a copy of the report and a pre-adverse decision notice, giving the applicant five (5) business days to respond.
8. The final employment decision will be made by the hiring department and Vice President, with advice from Human Resources and Legal Services.
9. Providing misleading or deceptive information may result in elimination from consideration or termination.
10. For current employees, if the background investigation reveals convictions, the information will be reviewed to determine fitness for the position.
11. If continuation of employment is questionable, employees will have five (5) business days to respond. Paid administrative leave may be used during this process.
12. Final decisions will be communicated by Human Resources.
13. Faculty and staff must report felony convictions to HR within five (5) days of the conviction.
14. Employees with access to background information must maintain confidentiality. Failure to do so may result in disciplinary action.

IV. APPEALS

1. Employment offer withdrawal decisions due to background checks can be appealed to the responsible President or Vice President.
2. Responses to appeals will be issued within ten (10) business days and will be final.

3. Current employees facing dismissal as a result of a background check may appeal within fifteen (15) business days.
4. The President or Vice President will respond within fifteen (15) business days, with the decision being final.