



## **POLICIES & PROCEDURES**

**Title: Background Checks for All New Employees**

**Document Number: HR\_206**

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**Department: Human Resources**

### **Purpose**

Louisiana Delta Community College (LDCC) is committed to the providing the safest possible environment for its students, faculty, staff, and visitors, as well as preserving college assets, reputation, and resources. Therefore, the purpose of this policy is to provide procedures and guidelines for the implementation of background checks, to include criminal history, for all classified and unclassified staff and faculty hired by LDCC. The results of the pre-employment background checks must meet a predetermined set of criteria, consistent with Equal Employment Opportunity Commission Enforcement Guidance #915.002, for the candidate to be hired.

### **Policy**

Delta Community College adheres to the LCTCS policy on Background Checks for All New Employees (policy # 6.036). LDCC will require pre-employment background checks to be conducted prior to employing full-time and part-time faculty, unclassified staff, and classified staff regardless of whether or not a competitive recruitment process is utilized.

### **STATEMENT ABOUT BACKGROUND CHECKS AND DISCRIMINATION**

Information discovered through the background check process will be used solely for the purpose of evaluating a finalist's suitability for employment. It will not be used to discriminate against a finalist on the basis of race, color, religion/creed, sex/gender, age, sexual orientation, gender identity/expression, national origin, genetic information, marital/familial status, disability, military, or veteran status.

### **REQUIRED SERVICES**

- A criminal records search is required on all classified, unclassified and temporary positions. HR will order the background check to be conducted on the candidate selected for the position. The background check must be complete before an unconditional job offer is extended. The background check will include a Parish/County Criminal History Search, a National Crime Index Search, SSN

Verification and an address search. There may be other components of the search, which would be disclosed to the candidate in advance.

- Finalists who are returning to work for LDCC and have been employed at LDCC within the previous twelve months immediately preceding the date on which the conditional offer of employment is made, shall not be required to obtain a new criminal background check.
- A temporary employee may not begin work prior to the completion of the background check.

NOTE: Any additional background checks beyond the required services (such as a consumer credit report) is at the department's discretion. Any department having fiduciary responsibility may request a consumer credit report of a finalist applicant who may routinely handle cash. This additional background check should be requested before the vacant position is posted for hiring.

## **PROCEDURES**

### **1. Notification**

Written notification of the requirement to successfully pass a pre-employment background check will be given during advertisement and/or at time of application.

### **2. Initiation of Check**

Finalists will be asked to complete a Pre-Employment Background Check Authorization Form during the hiring process, which may be an electronic form or a paper form. Background Checks will be initiated only by Human Resources. Background checks will only be conducted once Human Resources receives a completed and signed Pre-Employment Background Check Authorization Form. Any final applicant who refuses to provide a signed authorization form will be ineligible for consideration for the position sought.

### **3. Background Checks**

Background Checks will include, at a minimum, a multi-state criminal background check including felonies and misdemeanors, a social security trace, and a National Sexual Offender Registry check. Background Checks may also include a credit check (conducted in compliance with the Fair Credit Reporting Act), driver history check, and credentials verification for applicants as requested by the hiring department.

### **4. Results of Background Check**

After the background check report has been provided to Human Resources, the hiring authority will be notified of the results. If the results are favorable, the hiring department will be notified of the results and an unconditional job offer may be made by Human Resources.

Results from a Background Check will be considered in the following manner:

If the Background Check reveals criminal records or other serious misconduct (other than minor traffic violations), the Executive Director of Human Resources may make initial determination as to whether the Background Check results should disqualify the candidate for the position. If the Executive Director of Human Resources determines that a group's consideration would be necessary for a fair assessment of the results' impact on qualification, the Executive Director of Human Resources may consult with Chancellor and/or Legal Counsel for determination on the matter.

To the extent required by the Fair Credit Reporting Act (FCRA), applicants will be informed, in writing, of adverse information discovered in the Background Check and given an opportunity to respond. Upon conclusion of the review, written notice will be sent to the candidate regarding the employer's decision of eligibility for the position.

All results of the Background Check will remain confidential, will be maintained by Human Resources, and will be disclosed only to authorized employees who have a need to know regarding the performance of their job assignments.

The finalist may be contacted by Human Resources for the unfavorable background check and given a maximum of ten days to refute, explain, or correct the information. If there is no change in status within ten days, the finalist will be withdrawn from the candidate list. The College may refuse to hire a finalist, may withdraw a conditional offer of employment to a finalist, or may terminate a current employee who has made a false representation of material facts or omitted factual information in the employment process.

Disqualification of any candidate based on information discovered in the Background Check is not subject to grievance or appeal by the candidate, unless otherwise allowable by law.

If the finalist is a current employee of LDCC, his or her suitability for continued employment will be evaluated. Human Resources may work with the third-party vendor to conduct a review of the background results for the applicant and will evaluate the value of the current information against the total past employment record and future employment potential.

Only LDCC designated employees may initiate a background check or receive results. Results of all background checks will be kept confidential and will not be disclosed except to the extent necessary to administer and enforce this policy.

#### 5. Responsibility for Costs

LDCC will be responsible for the costs associated with the Background Check. The investigation will be conducted by a qualified vendor approved by the College or an appropriate state agency to conduct such investigations.

### **DEFINITIONS**

- National Crime Index Search – provides multi-jurisdictional information from multiple sources including County Records, State Department of Corrections, Sexual Offenders Lists and Administrative Office of Courts.
- County Criminal History Search – provides a criminal history of counties and/or parishes in which the applicant has worked, attended school, and/or resided (if different from the county/parish which he/she worked) within the last seven years. This check is for all felonies, misdemeanor convictions, and related activity on record (include open arrest warrants or charges for failure to appear in court).
- Social Security Number Trace – determines all names and addresses that have been used by a given Social Security Number for the past seven years. This measure would prevent concealing previous addresses for the purpose of concealing a criminal record.