

**Manhattan Area Technical College
Institutional Policy and Procedure Manual**

Policy No. 7.1.4

Title: Employment Background Check Policy	
Originated By: Human Resources	
Signature	Date
Reviewed: VPBS	
Signature	Date
Approved: President/CEO	Revised:

Policy Statement: Background Checks shall be required prior to employing faculty, professional and classified employees. Information regarding conviction record will not necessarily bar an applicant from employment; individual circumstances will be considered relative to the job sought.

Background Checks may be required at the discretion of the hiring authority for any student employee or any employment appointments that include safety or sensitive duties such as handling currency, accounts payable, having access to sensitive computerized databases or laboratories, access to student records, or having access to a master key.

Rationale: Manhattan Area Technical College is committed to protecting the security, safety, and health of employees, students, and others, safeguarding the assets and resources of the College, and assuring individuals in responsible positions are worthy of the trust they are given. Therefore, Manhattan Area Technical College has adopted a policy requiring Employment Background Checks.

Procedure:

1. Notification

Written notification of the requirement to successfully pass a Background Check will be given during advertisement and/or at time of application.

2. Initiation of Check

Background Checks will be initiated only by Human Resources.

Human Resources may only initiate Background Checks once they receive a completed and signed Authorization for Employment Background Check form.

3. Background Checks

Background Checks will include, at a minimum, a multi-state criminal background check including felonies and selected misdemeanors, a social security trace, and a National Sexual

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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 designated by Human Resources.

Background Checks conducted by the US Department of Homeland Security for international, non-citizen job candidates as part of the visa process may be considered adequate for the purposes of this policy if the candidate has not previously resided in the United States.

4. Conditional Offer of Employment

The Background Check must be completed before employment begins, except as provided below. Any offers made before a background check has been completed shall be expressly conditional upon successful completion of the Background Check.

Employment may begin prior to completion of the Background Check only as a conditional offer of employment and when the hiring authority establishes to the satisfaction of Human Resources. Conditional offers shall be withdrawn if the results of the background check are deemed to disqualify the applicant for the position (regardless if conditional employment began).

5. Results of Background Check

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), Human Resources will consult with the College President, and may consult with legal counsel.

In such cases, Human Resources, the College President, and, if determined necessary, the division Vice President and/or direct supervisor shall make an initial determination as to whether the Background Check results would disqualify the candidate for the position.

The group's consideration shall include, but not be limited to, the following factors:

- a. number of offenses or misconduct and the circumstances of each;
- b. length of time between the offense or misconduct and the application for employment;
- c. other employment history;
- d. evidence of applicant's rehabilitation efforts;
- e. severity of the offense or misconduct; and
- f. the relevance of the offense or misconduct to responsibilities of the position.

To the extent required by the Fair Credit Reporting Act (FCRA), applicants will be informed, in writing, notice 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 only be disclosed to authorized personnel who have a need to know in the performance of their job assignments.

Failure to disclose criminal convictions requested during the application process may result in disqualification for employment or termination of employment.

Disqualification of a candidate based on information discovered in the Background Check is not subject to grievance or appeal by the candidate.

6. Responsibility for Costs

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