



SAN DIEGO STATE
UNIVERSITY

BACKGROUND CHECK POLICY FOR ACADEMIC EMPLOYEES

Please direct questions to the Office of Faculty Advancement: facultyadvancement@sdsu.edu

The California State University system now requires background checks for all new employees and for current employees who voluntarily apply for CSU-designated “sensitive” positions that entail contact with minors (any person under the age of 18), access to protected personal information, or managerial financial responsibility. This policy applies to positions funded by the College of Extended Studies, the SDSU Research Foundation, or external grants as well.

Required background checks include verification of employment and degrees earned, reference checks, and criminal records checks. For new and current employees seeking appointment to CSU-designated “sensitive” positions with financial responsibility—dean or associate dean—a credit report history check is also required (HR 2017-17.IX.A). The Center for Human Resources shall serve as custodians of all background check related records. Background check related materials shall not be stored in an applicant or employee personnel file. Respect for the privacy of prospective and current employees shall guide implementation of the background check policy.

Applicants for new tenured/tenure-track positions are required to complete a background check authorization at the time of their application submission. Applications without this authorization will not be considered.

The following guidelines have been developed to facilitate implementation of the background check policy in the hiring of academic employees, including:

- New tenured and probationary faculty including professors, librarians and Student Service Professionals Academic Related (criminal records and employment verification checks **only**, both provided by background check provider; letters of reference accepted in lieu of reference check).
- New temporary faculty including lecturers, temporary librarians, temporary Student Service Professionals Academic Related, and temporary faculty after a break in service of twelve (12) months or more (criminal records, employment verification, and reference check provided by background check provider; copies of degrees accepted in lieu of education verification).
- Current academic employees newly appointed to CSU-designated “sensitive” positions including dean or associate dean (background check provided by background check provider); chairs and directors are excluded.
- Academic student employees are not required to undergo a background check.
- Foreign hires are not required to undergo a background check, as their visa-related background check shall be accepted in lieu of SDSU’s background check.

SUMMARY OF REQUIRED CHECKS

| | Background check | Employment verification | Reference check | Degree verification | Credit check |
|--|-------------------------|--------------------------------|---|----------------------------|---------------------|
| New tenured or tenure-track faculty | Yes; BCP | Yes; BCP | Reference letters accepted | No | No |
| New temporary faculty | Yes; BCP | Yes; BCP | Yes; BCP | Yes; BCP or copy of degree | No |
| New dean or associate dean | Yes; BCP | No | Reference letters or reference calls using HR provided certification form | No | Yes; BCP |
| Foreign faculty (H1-B) | No | No | No | No | No |
| Academic student employee | <i>No</i> | <i>No</i> | <i>No</i> | <i>No</i> | <i>No</i> |

*BCP: Provided by Background Check Provider agency contracted by HR

STEP 1: The Offer of Employment

Offers of employment to new academic employees as well as to temporary faculty returning after a break in service of twelve (12) months or more shall be made in writing so as to initiate the background check process. A contingent offer of employment shall be made via email from the department chair or school director (for temporary faculty), the college dean (for tenured and probationary faculty and associate deans), or the Provost (for deans) to the prospective employee, with copies to the designated unit HR liaison (staff member) and preboarding@sdsu.edu. **For templates, please visit [SharePoint](#).**

STEP 2: Screening

The Center for Human Resources shall provide the name and email address of the prospective employee to the campus's contracted background check provider. The background check provider will contact the prospective employee directly via email to obtain personal information necessary to conducting the background check. *Tenure-track faculty background checks will be conducted three months prior to the employees start date.* **Effective January 1, 2018, per new law AB 1008, the background check provider will verify employment history (excluding salary history) and criminal records for tenured and probationary faculty (after a conditional employment offer has been made). The CSU is prohibited from inquiring or considering conviction history until AFTER a conditional offer of employment has been made.**

For tenured and probationary faculty and deans, letters of reference are accepted in lieu of reference check and will be routed directly from Interfolio to HR. The background check provider will verify employment, references, and criminal records for temporary faculty. **For temporary faculty, copies of degrees are accepted in lieu of education verification.**

STEP 3: Clearance or Disqualification

Background check results may normally be expected in one (1) to seven (7) business days. The appropriate hiring unit administrator (dean, chair, or director) and designated unit HR liaison (staff member) will be notified by Human Resources when a prospective academic employee has successfully cleared the background check process. Adverse results for prospective academic employees will be reported by the Center for Human Resources to the Associate Vice President of Faculty Advancement who shall review the results to determine whether the finding is compatible with the position for which the prospective employee is being considered, considering the nature and gravity of the crime(s) and relevance to the position sought; the number and circumstances of the offense(s), the period of time since the last conviction, and the candidate's conduct, performance, and/or rehabilitation efforts since the conviction (HR 2017-17.VIII.A). The AVPFA may consult with university counsel and the Provost in making this determination. Prospective employees impacted by adverse results may appeal utilizing the procedures outline in HR 2017-17.VIII.B and HR 2017.17.VIX.C.

STEP 4: Completion of Hire

The hiring unit may continue to complete hire-related paperwork and preparations while the background check is in process. For all temporary faculty, the Statement of Terms and Conditions of Appointment ("STC") forms for new appointments or reappointments after break in service of twelve (12) months or more shall include the following language for temporary faculty STCs: ***"May be contingent upon successful completion of a background check."***

Center for Human Resources personnel will verify that background check has been cleared when hire-related paperwork is entered into the payroll system. If Center for Human Resources personnel determines that the background check is incomplete, they will contact the AVPFA. The AVPFA will provide regular updates to Academic Affairs on hires in process impacted by incomplete or adverse result background checks.

LIMITED EXCEPTION FOR ACADEMIC EMPLOYEES

New academic employees may be authorized by the Associate Vice President for Faculty Advancement and Student Success to begin work before completion of a background check if university operations (including the ability to offer a class to students) would be negatively impacted by delay. College appointment coordinators should notify Faculty Advancement immediately of any contingent offers to new temporary faculty made within two (2) weeks of the first day of the semester or after the start of the semester. The AVP-FASS will provide regular updates to Academic Affairs of academic employee hires authorized for exception.

ADDITIONAL CONDITIONS

- For prospective academic employees who are not U.S. citizens, visa-related background checks shall be accepted in lieu of background checks, due to the known limitations of international background check systems.
- As of January 1, 2018, hiring units **may not** initiate background checks for finalists who are invited to participate in on-campus interviews and forums. Per new law AB 1008, we can only conduct a background check once we have made a conditional offer of employment.

- Background check requirements shall be noted on all academic employee job postings.

- For tenured/tenure-track postings use the following language:

“As part of its commitment to a safe and equitable “OneSDSU” community, SDSU requires that individuals seeking faculty employment provide at the time of application authorization to conduct background checks if they become a finalist for the position; applications without this authorization will be considered incomplete and not considered.”

A background check (including a criminal records check) must be completed satisfactorily before any candidate can be offered a position with the CSU. Failure to satisfactorily complete the background check may affect the application status of applicants or continued employment of current CSU employees who apply for the position.”

- For all other academic employee job postings, use the following language;

“A background check (including a criminal records check) must be completed satisfactorily before any candidate can be offered a position with the CSU. Failure to satisfactorily complete the background check may affect the application status of applicants or continued employment of current CSU employees who apply for the position.”

- Current temporary faculty need only undergo a background check for reappointment after a break in service of twelve (12) months or more.
- Temporary faculty with three-year contracts with a zero time base for twelve (12) months or more are not required to undergo background checks at the time of reappointment. Temporary faculty placed on the recall list with a break in service of twelve (12) months or more are required to undergo background checks at the time of reappointment.