

The University of Kansas School of Medicine-Wichita

Pre-employment Background Checks

Effective July 1, 2006

INTRODUCTION: This document provides requirements and guidelines for the administration of background checks with respect to hiring new faculty and staff at the University of Kansas School of Medicine-Wichita.

STATEMENT OF PHILOSOPHY: For the safety of the campus community and its physical assets, the University needs to ensure that faculty and staff have no history of criminal behavior that would impact the successful performance of their duties and overall contributions to the University. Although no guarantee against criminal acts, it does reduce the likelihood of crime, and may reduce the University's liability in the event a crime occurs. It also helps protect hiring departments from the possibility of litigation, which can exact a heavy cost in time and morale, and from the costs of embezzlement or theft.

The University recognizes that its need to investigate prospective faculty and staff criminal history must be balanced with the need to protect individual privacy. University policy and state and federal laws recognize the individual's right to privacy and prohibits KUSM-W employees and others from seeking, using, or disclosing personal information except within the scope of their assigned duties.

REQUIRED LEVEL OF BACKGROUND CHECKS

- Under most circumstances, references will be required for all positions and must be completed prior to an official job offer.
- A criminal history record must be obtained for all final candidates under consideration for all faculty and staff positions as designated by these guidelines and procedures.
- The background check will include: verification of highest education level, sex offender registry, and criminal history. Faculty with clinical responsibilities will also be subject to the Healthcare Sanctions database search.
- Individuals whose professional responsibilities involve licensure, professional accreditation, who come into contact with students, will be required to complete an expanded background investigation to include OIG data base and Medicare Fraud registry searches.

PROCEDURES

- All finalists for faculty and staff positions are subject to a complete check of professional references as well as the applicable level of background check.
- Hiring departments will initiate the background check by contacting the Recruitment Specialist. Human Resources will place the order for the required background check and ensure payment. Results of the background check will be delivered to the Director for Human Resources.
- Background checks are normally completed within 3 business days, except where holidays or unusual information needing additional research is discovered.
- Upon receiving the results of the background check, if no problems are reported, the Recruitment Specialist will inform the hiring department they may proceed with the hire. If there are concerns with the background check, the report will be referred to the review panel for further evaluation and action.
- Ordinarily, background checks must be completed before employment offers are made. If circumstances require that an offer of employment be made before the completion of a background check, the offer must state, among other things, that it is contingent upon the University's completion of the background check, and a finding that based on such record(s), the final applicant is suitable for the position.
- Information obtained by the University for the purpose of conducting background checks shall in no way be used as a basis for illegal discrimination.
- All background checks will be performed for the University by a contractor in accordance with the Fair Credit Reporting Act (FRCA).

- To the extent permitted by law, background check information will be regarded as confidential information (and therefore not subject to public disclosure) and will not be made part of final applicant files, or employee personnel files, or be communicated to any unauthorized person.

CONSIDERATION OF CRIMINAL HISTORY RECORDS

In considering final candidates' criminal history records that disclose prior criminal convictions, such records shall be reviewed by the Director of Human Resources, Director of Equal Opportunity and General Counsel. Where such criminal convictions involve a candidate for a faculty position, the panel conducting the review shall also include the Vice Chancellor for Academic Affairs and/or the Associate Dean for Academic and Student Affairs-Wichita.

As a part of their review, the panel should consider the following:

- The nature and seriousness of the offenses for which final candidates are convicted
- The number of offenses
- The relationship of the convictions to the position the candidate is being considered to fill
- The accuracy of information provided to the University by final candidates

As a part of the review process, final candidates will be allowed to provide responsive information regarding their criminal history record, including evidence of rehabilitation, character references, educational achievements, and the length of time since the last criminal conviction and other extenuating circumstances.

Normally past criminal history records will be reviewed to include the prior 7 years. However, KUSM-W reserves the right to consider serious felony convictions without limitation on duration.

Any applicant/candidate who fails to provide complete or accurate information in response to a request for information about past criminal history shall forfeit their right to further consideration and/or employment.

DEFINITIONS

Background check means the process of conducting a reference check, and/or gathering and reviewing criminal history records of final candidates seeking employment with the University.

Criminal history record means a written record or information furnished by a criminal justice agency relating to an individual's criminal convictions or disposition of criminal charges. A criminal history record does not include an individual's arrest record or any conviction records that have been sealed by court order.

Criminal history background check means the process of gathering and reviewing criminal history records of final candidate seeking employment with the University.

Final candidate means a person seeking employment with the University and who has been selected by a hiring authority to receive a contingent job offer.

Reference check means the process of contacting individuals, including current and former employers, companies, educational institutions, that may reasonably be calculated to provide relevant information regarding a final applicant's fitness for University employment.

INTERPRETATION: The Human Resources department shall interpret these guidelines.

Nothing in this document shall be interpreted to conflict with existing policies relating to investigations of candidates and/or applicants for commissioned law enforcement/security positions.

Nothing in this document shall be interpreted to limit the University's right to conduct background checks on current employees when circumstances warrant.