UNIVERSITY of ILLINOIS

BACKGROUND CHECK POLICY

Urbana Campus Candidates – Frequently Asked Questions

October 2015

1. Why are Background Checks required?

   The University is committed to providing a safe learning, living and working environment for our students, faculty and staff. For the past several years, there has been a growing national conversation about safety risks and associated liability exposure to claims of negligently hiring individuals with criminal convictions. Universities across the country, including our own, have evaluated whether criminal background checks should be required for our hires.

   In Spring 2014, based on a charge from our Board of Trustees, University Human Resources convened a University-wide background check working group to create a university-level policy. The Board of Trustees approved a Background Check Policy on September 10, 2015, effective October 5, 2015. http://www.trustees.uillinois.edu/trustees/agenda/September-10-2015/010-sep-UniversityBackgroundCheck-Policy.pdf

2. Who is required to have a background check under the Background Check policy?

   - All individuals who are newly hired at the University as faculty (tenure system and specialized faculty), post-doctoral research associates, medical residents and interns, and staff (academic professional, civil service, extra help and academic hourly) are required to undergo a background check.

   - Retired former employees are required to undergo a background check when the first post-retirement employment occurs on or after October 5, 2015.

   - Individuals already employed by the University are covered by this policy when transitioning into security sensitive positions or positions subject to the Protection of Minors Policy

   - A criminal background check must be conducted before a current employee transitions from an undergraduate or graduate, temporary hourly (Extra Help or Academic Hourly) or unpaid affiliate position to a Faculty, Academic Professional, Medical Resident, or Civil Service position.

3. Who is not required to have a background check under this policy?

   A background check will not be conducted for current employee, graduate or undergraduate student employees, fellows, volunteers, individuals appointed to non-paid positions, contractors or other individuals employed by another entity unless they are subject to the University of Illinois Protection of Minors Policy or are assigned to a security sensitive position, as defined by the Urbana campus policy for security sensitive positions.

4. Is this policy the same as the Protection of Minors policy?

   No, the Protection of Minors Policy is a separate policy that requires background checks to be

conducted for all individuals (including University personnel, graduate and undergraduate employees, fellows, volunteers, and contractors) who are responsible for the supervision or care of children, or whose duties would require close contact and/or alone time with minors who are not enrolled or accepted for enrollment at the University. https://www.hr.uillinois.edu/cms/One.aspx?portalId=4292&pageId=5689

5. What is included in a background check?

   The criminal background check conducted on behalf of University of Illinois at Urbana-Champaign by a third-party vendor, General Information Systems, Inc. (GIS) includes:

   National, state and county criminal conviction records
   National sex offender registry
   Social Security Number verification (used for identification purposes)

   All background checks are conducted in accordance with the Fair Credit Reporting Act (FCRA).

6. What is not included in the criminal background check?

   Verification of employment history
   Verification of education
   Reference checking

   These remain the responsibility of the hiring unit.

7. Is credit history a part of the background check?

   No, credit history is not included in the standard criminal background check. However, a small number of administrative positions with specific job responsibilities may also require a credit history check. A requirement for a credit history check must be pre-approved by Illinois Human Resources and be included in the job posting.

8. When will the University conduct the criminal background check?

   The criminal background check will be conducted after a candidate accepts a written, contingent offer of employment. The candidate must also provide authorization directly to the vendor, GIS. No background check will be conducted until GIS receives the consent and authorization from the candidate.

9. How do I give consent for the criminal background check to be completed?

   After accepting the contingent offer, you will receive an email from GIS with a link to their secure, online authorization system. The email will be sent from UniversityofIllinoisHR@geninfo.com. This is NOT spam. You must follow the instructions in the email to start the background check process.

10. When do I need to respond to the GIS email?

    As quickly as possible. Candidates will get reminder emails from GIS for three days. If you do not provide authorization to GIS before the link becomes invalid, the University will need to initiate a new background check request with GIS.

    Please note: There will not be any further progress in the hiring processes until the criminal background check is complete.

11. Do I have to pay for the background check?

    No, the hiring unit pays for the background check.

12. I am an international hire and I do not have a Social Security Number yet, do I need to wait to consent to the background check until I get a social security number?

    No, you need to provide consent, even though you do not yet have a Social Security Number. GIS provides instructions for individuals who do not have a Social Security Number.

13. What if I do not consent to the criminal background check?

    If you do not provide consent and authorization to GIS, no criminal background check will be conducted.

    However, since the offer of employment is contingent upon successful completion of the background check, if you decide you do not want to provide consent for the background check, you have, in effect, declined the contingent offer of employment.

14. How long will this process take? When will I know if I have passed the criminal background check?

    Typically, the process can be completed in three to five business days from the time that consent is provided to GIS. However, the length of the process is influenced by a number of factors, such as:

    - The number of states and counties in which you have resided
    - If you have changed or modified your name (marriage, etc)
    - If you have a very common name such as John Smith

    Illinois Human Resources will notify you when the background check process is complete. Additionally, Illinois Human Resources will be in contact with you if a conviction history report is provided by GIS.

15. Will I get a chance to see what information GIS provides to the University?

Yes. If GIS provides a criminal conviction history report to the University, Illinois Human Resources will send you a copy of the report received from GIS. This is required under the Fair Credit Reporting Act (FCRA). Additionally, you have the right to request an additional copy directly from GIS, free of charge.

16. What can I do if I believe information in the GIS report is inaccurate?

    Illinois Human Resources will provide information on how to address inaccuracies in the report when the report copy is provided to you.

17. Do I get an opportunity to provide information to the University regarding my conviction history or the situations around the convictions?

    Yes, an Illinois Human Resources Case Coordinator will provide the GIS conviction report to you, and notify you of the deadline by which you must provide any additional information you would like the Hiring Risk Assessment Review Committee (HRARC) to consider when conducting the individualized assessment. You will have the opportunity to submit any additional information that you choose, such as references, a narrative or information regarding work or other activities since the conviction, as well as indicate any inaccuracies in the report that need to be corrected. You can also choose to speak or meeting individually with the Illinois Human Resources Case Coordinator to provide information or get feedback on the kind of information you might wish to provide. All information you provide will be reviewed by the Hiring Risk Assessment Review Committee (HRARC) at the same time as the conviction report from GIS. The supplemental information you provide can be very valuable in the committee's review.

18. How will information received from GIS be shared at the university? Who will have access to the report?Illinois Human Resources will share the GIS conviction reports with the members of the HRARC. The reports will not be accessible to hiring units.

19. If I have a conviction history, does this mean I cannot be hired?

    Having a conviction history is NOT an automatic bar to employment. The University uses an individualized assessment process to consider the conviction history in relation to the employment (position) being sought in order to determine if the candidate is eligible for employment in that position.

20. If I am not eligible to be hired for a position because of my conviction history, does that mean I cannot be hired in any other position?

    Not necessarily. Eligibility for employment is based on an individualized assessment for every position in which you are the selected candidate. The relationship between the conviction history and the job responsibilities can vary for different positions.

21. How will the campus evaluate the impact of a criminal conviction on a candidate's ability to be hired?

    There will be an individualized assessment as to whether a candidate's conviction poses an unacceptable level of risk that includes, but is not limited to, an assessment of:

    - The nature and seriousness of the underlying offense/conduct
    - The relatedness of the offense/conduct to the position being sought
    - The length of time that has elapsed since the conviction, end of the sentence, offense/conduct
    - Demonstrated rehabilitative efforts

The candidate will be given an opportunity to provide any information that she or he feels should be considered, including but not limited to, corrections to the record; a personal statement; information about the conduct or conviction; letters of recommendations/reference (from prior employers, parole officers, ministers, etc); and evidence of rehabilitative efforts.

The conviction report and any information provided by the candidate will be submitted to the campus Hiring Risk Assessment Committee (HRARC), which will conduct the initial assessment of risk. HRARC recommendations for faculty and specialized faculty candidates are provided to the Provost or her/his designee. The Provost Office will consult with the relevant units regarding the final decision of employment eligibility. HRARC recommendations for all other employment categories are provided to the Associate Provost for Human Resources or her/his designee for final decision of employment eligibility. The Associate Provost for Human Resources will consult with appropriate University officials as needed.

22. If I have a conviction, who decides if I can be hired?

    The Provost makes the final decision for all faculty or specialized faculty candidates. The Associate Provost for Human Resources makes the final decision for all non-faculty candidates.

23. Who will be on the Hiring Risk Assessment Review Committee?

    The HRARC will be comprised of representatives from Academic Human Resources, Staff Human Resources, campus law enforcement and, when faculty and specialized faculty candidates are being reviewed, two faculty members. University Legal Counsel serves on the HRARC in an advisory capacity.

24. What role will faculty play in the evaluation of whether to hire a person with a criminal conviction into a faculty or specialized faculty position?

    The Hiring Risk Assessment Review Committee (HRARC) conducting the initial individualized assessment will include two tenured full professors (from a pool of faculty). The committee will make a recommendation to the Provost or his/her designee, who will consult with the relevant Dean before finalizing the hiring decision.

25. Will information received from GIS be kept in my personnel file if I am hired? If not, why not?

    No, criminal conviction records will not be stored in employees' personnel files or the University's electronic application system, HireTouch. Although conviction records are publicly accessible documents, documents related to the background checks will be separated from personnel files in an effort to minimize possible negative impact on an employee's work environment.

    Illinois Human Resources is responsible for all records related to criminal background checks. All conviction history information is retained centrally with Illinois Human Resources, in a secure manner, and separate from personnel files. Only Illinois Human Resources staff with criminal background check process responsibilities will have access to the records. Records are kept in accordance with the Illinois Record Retention Act.

26. I am a faculty member moving into an administrative position. Will I be required to have a criminal background check?

    Existing faculty members will only have a criminal background check completed when they are moving into a security sensitive position or a position subject to a background check under the Protection of Minors Policy.

27. I have temporary employment at the University and just got hired into a full-time position. Will I have to have a criminal background check?

    Yes, if you are currently have an Extra Help, Academic Hourly or student job (undergraduate or graduate) and you accept employment for a civil service, academic professional, faculty, specialized faculty, or other academic titles such as post-doc research associate or medical resident, you will need to undergo the same criminal background check as a new hire.