



Background Check and Criminal-Charge Disclosure Policy

The university strives to provide a secure environment for its students, personnel, and visitors. To meet this objective, the university conducts background checks on prospective employees, employees, and volunteers in accordance with this policy. The university also requires employees and volunteers to disclose criminal charges in accordance with this policy.

A background check obtained by the university includes, at a minimum, a social security number validation and verification, a state and national criminal records search, and a national sex offender registry search. A background check may also include additional types of searches requested by the responsible vice president or assistant to the president, or their designees, as well as any other searches required by law for a specific position. In addition to the background check requirements of this policy, personnel and students may also be subject to other forms of background checks required by law for certain employment, volunteer, and educational activities.

When a Background Check Is Required

A background check is required for the following university personnel and volunteers prior to their employment or voluntary service:

- All non-student employees (e.g., faculty, administration, staff, athletic professionals);
- All employees and volunteers, including student employees and volunteers, who interact with minors, as required by the [Minor Protection Policy](#); and
- Other employees or volunteers where the university, in its sole discretion, deems it appropriate.

Unless otherwise required by policy or deemed appropriate by the university in its sole discretion, the following are not required to submit to a background check:

- An internal applicant who has previously completed a background check (an internal applicant who has not previously completed a background check must complete one);
- An applicant previously employed by the university whose application is submitted within eleven months of the applicant's previous university employment and also within two years of the applicant's most recently completed background check; and
- An employee returning from an approved leave of absence.

Process and Procedures for Background Checks

Background checks are administered by Employee Relations and Faculty Relations through the university's authorized background check vendor. Exceptions must be approved in writing by Employee Relations or Faculty Relations.



A background check should be completed before an offer is made to an applicant. However, under extenuating circumstances the president, responsible vice president, or assistant to the president may authorize a conditional offer of employment contingent upon the satisfactory completion of a background check.

Applicants may be disqualified and removed from consideration, and personnel may be disciplined, up to and including termination, for

- failure to consent to a background check;
- withholding information or providing misleading information related to a background check; or
- previous or current associations, behavior, or activities revealed through a background check considered by the university, in its sole discretion, to be a potential risk to the mission or reputation of the university or its sponsoring institution, The Church of Jesus Christ of Latter-day Saints.

Background checks required under this policy will be used solely to evaluate eligibility for employment or a volunteer opportunity at the university. In cases where information revealed in a background check will result in an adverse employment decision, the university will provide the person with all required notifications pursuant to applicable law (e.g., the Fair Credit Reporting Act).

Background check results are shared with authorized university personnel on a need-to-know basis. Generally, all information related to background checks of faculty and athletic professionals will be overseen by the associate academic vice president – faculty relations. Information related to all other employees and volunteers will be overseen by the assistant administrative vice president – human resources.

Criminal-Charge Disclosure

Current university employees and volunteers are required, within 72 hours of occurrence, to disclose to their supervisor, Employee Relations, or Faculty Relations if the employee or volunteer

- is arrested for a criminal charge;
- is convicted of a criminal charge;
- pleads guilty (including a plea held in abeyance) to any criminal charge; or
- pleads “no contest” to any criminal charge.

Failure to disclose may result in disciplinary action up to and including termination. Disclosure is unnecessary for traffic violations (e.g., minor speeding or parking citations), unless the violation rises to the level of a criminal charge.



A supervisor receiving a criminal-charge disclosure must notify Employee Relations or Faculty Relations as soon as possible. Information from a criminal-charge disclosure is shared with authorized university personnel on a need-to-know basis. Depending on the facts and the employee's or volunteer's involvement in the events leading to the reported arrest, conviction, or plea, the employee or volunteer may be subject to discipline, up to and including termination.

APPROVED: 17 May 2021

PRIOR VERSION: 28 Mar 2011

APPLICABILITY: This policy applies to all university personnel and volunteers.

POLICY OWNER: Academic Vice President (administering background checks for faculty and athletic professionals), Administration Vice President and CFO (administering background checks for administrative and staff personnel and volunteers)

RESPONSIBLE OFFICE: Employee Relations (administrative and staff personnel), Faculty Relations (faculty and athletic professionals)

RELATED POLICIES:

- [Administrative and Staff Employment Policy](#)
- [Employment Verification Policy](#)
- [Expectations of a Faculty Appointment Policy](#)
- [Faculty Discipline and Termination Policy](#)
- [Minor Protection Policy](#)
- [Personnel Transfer Policy](#)
- [Volunteer Policy](#)