Background Check Policy

I. Purpose and Scope of Policy

Purpose: Saint Joseph’s University (“University” or “Saint Joseph’s”) recognizes the importance of seeking to maintain a safe workplace by employing individuals who are qualified, honest, trustworthy, and nonviolent, and who do not present a risk of serious harm to their coworkers or others. Saint Joseph’s also seeks to ensure compliance with the law and compliance with the current practices outlined below as well as other documented policies.

Scope: This Background Check Policy (“Policy”) applies to all employees (regular or temporary) including staff, administrators, and faculty (adjunct, visiting, and tenure-track), as well as to trustees, volunteers, interns and independent contractors. The Policy does not apply to students, including graduate assistants, except when such individuals work with Minors as defined in the Minors on Campus Policy.

II. Processing Background Checks

For all SJU employees, volunteers, and interns, the background check is coordinated through Employment Services in the Office of Human Resources. Departments working with vendors and independent contractors are responsible for requiring them to certify that background checks that are at least as rigorous as the University’s background check protocols have been successfully completed for any third party’s employees or independent contractors who work on Saint Joseph’s campus or with Saint Joseph’s employees and/or programs.

III. Initiation of Check

When the Employment Services team in the Office of Human Resources is notified that a finalist has been identified in a search or of a registered volunteer, that team will provide the person with instructions for completing the background check processing steps. For current employees needing recertification of their clearances (every 3 years), the Employment Services team will notify them in advance that new clearances are required. Saint Joseph’s also reserves the right to conduct additional background checks on covered individuals consistent with business needs, e.g. certain promotions and transfers.

IV. Recertification of Background Checks

Background checks must be renewed every three years from the date the prior background check has been completed.
V. **Background Checks**
Currently, background checks may include an Abuse Registry Search, County Criminal Record Search, Federal Criminal National Record Search, SSN Trace & Address Locator Search, a U.S. Criminal Records Search (which includes a Sex Offender Registry Search) and/or an FBI background check, a PA Criminal Records Check, and a PA Child Abuse Clearance. The Office of Human Resources will also conduct a credential and degree verification. The hiring manager will conduct professional reference checks.

For certain positions, background checks may also include one or more of the following: a credit check (conducted in compliance with the Fair Credit Reporting Act), a driver history check, a drug test and a pre-employment physical.

Individuals who assume a role that involves working with minors should also refer to our [Minors on Campus Policy](#) regarding checks that may be done either in addition to or in lieu of the checks outlined in this policy.

VI. **Conditional Offer of Employment**
All offers of employment are contingent upon successful completion of the applicable background screening check.

VII. **Results of Background Check**
If no conviction of a felony or misdemeanor is reported, the Office of Human Resources makes a notation of clearance in the incoming or current employee’s file that a successful background check was obtained and no further action is taken.

If a conviction of a felony or misdemeanor is reported, the Office of Human Resources takes the required steps under the Fair Credit Reporting Act which include: the Director for Recruitment, Engagement & Retention sends a notification letter to the applicant/employee that includes a copy of the full report and their rights under the Fair Credit Reporting Act. The applicant/employee has five (5) business days to respond in writing or in person to discuss or dispute the information contained in the report. The Director for Recruitment, Engagement & Retention and the Director for Employee & Labor Relations review the report and take into account: nature of conviction (e.g. crime of violence), date of conviction, and type of conviction relative to job duties. If additional information is needed, the Director for Recruitment, Engagement & Retention will contact the applicant/employee for a meeting. It is important to note that the fact of a conviction will not automatically disqualify someone from working at Saint Joseph’s University. A recommended action is communicated to the Vice President for Human Resources, who may consult with General Counsel and, as needed, the Dean/Vice President of the school/division in which the individual is currently working or under consideration for a position in or in which the individual is to provide volunteer services.
Following the above steps in case of a report of a conviction of a felony or misdemeanor, the final decision regarding eligibility for employment or volunteering is communicated to the applicant/volunteer in writing by the Office of Human Resources. The final outcome regarding continuation of employment will be communicated to an employee both in writing and, unless prevented by circumstances outside the control of the University and/or employee, in person by the Office of Human Resources.

VIII. Access to Background Check Results
If no conviction of a felony or misdemeanor is reported, the Director for Recruitment, Engagement & Retention and the Human Resources Assistant for Employment Services (for filing purposes) review the report. If there is a conviction of a felony or misdemeanor reported, the Director for Recruitment, Engagement & Retention, the Director for Employee & Labor Relations, and the Vice President for Human Resources review the report, in consultation with the General Counsel, as needed. The hiring manager or department head do not receive copies of the reports, nor do they review them.

IX. Storage
Consistent with the University’s Records Management and Retention Policy, the Office of Human Resources will seek to ensure that all background check information is securely stored as follows:

- If a report is returned with no reported convictions of felonies or misdemeanors, the date of the clearance is noted on the checklist in the individual’s file maintained in the Office of Human Resources; the report itself is not printed/scanned/stored.
- If a report is returned with a reported conviction of a felony or misdemeanor:
  - The clearance and all documentation pertaining to it are stored electronically on a secure drive with access limited to the Director for Recruitment, Engagement & Retention, the Human Resources Assistant for Employment Services, and the Director for Employee & Labor Relations. (These documents are not stored in the employee personnel file.) and;
  - If following the background check review process, it is determined that the candidate or volunteer is eligible for employment or service, respectively, the date is recorded on the checklist in the employee/volunteer’s personnel file.