

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, tenure-track and tenured), as well as to trustees, volunteers, graduate assistants, interns and independent contractors.*

II. Requirements of Policy Governing Background Checks

A. Background Checks

All SJU employees (regular or temporary) including staff, administrators, and faculty (adjunct, visiting, tenure-track, and tenured), as well as trustees, volunteers, graduate assistants, interns and independent contractors must complete a three part background check that includes a Pennsylvania Criminal Record Search, FBI Fingerprinting Check, and a Pennsylvania Child Abuse Check. The Office of Human Resources will also conduct credential and degree verifications. 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.

All individuals who assume a role that involves working with minors should also refer to our [*Minors on Campus Policy*](#) regarding requirements for background checks and recertification requirements.

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.

III. Implementation of This Policy

A. Processing Background Checks

For all SJU employees, trustees, volunteers, graduate assistants and interns, the instructions for obtaining and submitting the background checks are provided by 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.

B. Recertification of Background Checks

Current employees who have contact with minors as defined by the SJU *Minors on Campus Policy*, as well as certain staff and administrators as determined by the Dean/Division Head in consultation with the Office of Human Resources must obtain recertification of their background checks every five (5) years.

C. Conditional Offers of Employment

Offers of employment are contingent upon successful completion of the applicable background screening check.

D. Results of Background Check

If no conviction of a felony or misdemeanor is reported, and no record is reported on the Child Abuse Clearance, 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, and/or a record is reported on the Child Abuse Clearance, 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, type of conviction relative to job duties, and any statutory bars on certain individuals working with minors. 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/Division Head 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, or a report on the Child Abuse Clearance, 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 discontinuation 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.

E. Access to Background Check Results

If no conviction of a felony or misdemeanor is reported, and no record is reported on the Child Abuse Clearance, the Director for Recruitment, Engagement & Retention (RER) and the Human Resources Specialist for RER (for filing purposes) review the report. If there is a conviction of a felony or misdemeanor reported, the Director for RER, 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.

F. 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:

- The date of the clearance is noted on the checklist in the individual's file maintained in the Office of Human Resources.
 - 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 (RER), the Human Resources Specialist for RER, and the Director for Employee & Labor Relations.

* See, also, letter from Dr. Mark C. Reed, President, dated 1.25.16, regarding exception for designated faculty.