

Criminal Background Checks

Purpose

Hartwick College is committed to providing a safe and secure campus for its students, staff, faculty, and visitors, and to protecting the material resources of the College. As part of our strategy to achieve this goal and to ensure that the College has taken reasonable care in selecting its new faculty and staff, the College conducts background checks on all new Hartwick faculty and staff.

Background Check Policy:

As a condition of employment, background checks are conducted prior to new faculty and staff beginning their employment. Furthermore, background checks also are conducted on current employees transferring into senior administrative, sensitive, financial, information technology, or student-oriented positions. Background information collected will include:

- a social security number verification;
- 7-year, all residences county criminal background check; and
- national sex offender registry;

The College reserves the right to make the sole determination of all employment decisions resulting from the background check.

Faculty and staff who operate a College owned vehicle are subject to a motor vehicle record check through the Office of Campus Safety. *Note: Professional reference and credential checks are not part of the background check policy; rather, they are part of the recruitment & selection process.*

Guidelines:

1. All employment postings will include the following statement: "Hartwick College is committed to providing a safe and secure educational environment. As such, employment at Hartwick College is contingent upon a successful background check which will be completed as a final step in the pre-employment process. Candidates to whom an offer of employment is made will be required to sign a Release of Information form authorizing the College to conduct a thorough background check".
2. For all faculty and staff positions, the background check will occur after a conditional offer of employment has been extended and accepted. The candidate will be asked to complete and submit a signed Authorization for the Release of Information form to Human Resources.
3. Human Resources oversees the background check process. The actual research is conducted by Insperty, a third-party background screening company that receives its data directly from the repositories that are responsible for housing the most current information available. Human Resources will access the results through Insperty, review the findings and notify the hiring manager that the background check has cleared.
 - The candidate may request a copy of the background report by sending an email to humres@hartwick.edu. The request should include name and address so that Insperty can forward a copy of the report directly to the candidate.
4. If a criminal record is found, the Director of Human Resources may talk to the candidate to verify or elaborate on the background check results. The Director of Human Resources will coordinate a review of the background check results with the appropriate Vice President to discuss whether the

candidate is suitable for the job. The Vice President has discretion to discuss the relevance of the information with the appropriate hiring manager. The College will carefully consider all evidence that has direct relevance to the candidate's ability to perform the particular job or that otherwise indicates a significant risk to the safety of students, employees, visitors, or the general public. The final decision to proceed with the hire, or not to proceed, lies with the Vice President in consultation with the Director of Human Resources and with the approval of the President.

- The existence of a criminal conviction does not automatically disqualify an individual from employment. The nature (e.g., violence, destruction of property, breach of confidence, etc.), severity and number of convictions, the amount of time that has passed since the last date of offense and the last date of incarceration (if any), the relationship the conviction has to the duties and responsibilities of the position, and the candidate's conduct and rehabilitation efforts since conviction also may be taken into account in the final hiring decision.
5. If it is not in the best interest of Hartwick College to hire a candidate as a result of the information obtained in the background check, the candidate will be sent a Pre-Adverse Action Notice along with a copy of the report and a notice of the individual's rights under the FCRA (Fair Credit Reporting Act). If the candidate believes the report provided to the College is inaccurate, the College will give the candidate a reasonable period of time to refute the disputed information with Insperity (or any vendor that the College might use in the future). If the candidate does not dispute the accuracy of the report or if the matter is not adequately resolved with the vendor in a timely manner, then the candidate will be given a Final Adverse Action Notice and the College may decide to proceed with hiring a different candidate.
 6. All information received through a background check is maintained by the Office of Human Resources in a confidential, secure file, which may be accessed only by those who have a bona fide need to know (e.g. President, supervising Vice President, and Director of Campus Safety). No individual may have access to the contents of Hartwick College personnel records (current or otherwise) without the approval of the Office of Human Resources.