

### **Purpose**

The purpose of this policy is to maintain a safe and healthful environment in the College in order to promote the physical, social, and psychological well-being of its students, employees and the public. To that end, the College will seek a criminal history background check for applicants who receive an offer of employment with the College and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the College, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The College may also elect to do background checks of other volunteers, independent contractors, and student employees in the College.

### **General Statement of Policy**

The College shall require that applications for College positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide services to students of the College, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the College that an applicant's criminal history does not preclude the applicant from employment with, or provision of services to, the College.

The College specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.

Adherence to this policy by the College shall in no way limit the College's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, and volunteers, service providers, independent contractors, and student employees.

The College, at its discretion, may charge a fee to the applicant.

### **Administration**

Criminal background checks will be administered by the Human Resource Department according to the procedure set forth in paragraph below.

Criminal background checks will be conducted by a vendor approved by the College and/or the Federal Bureau of Investigation (FBI).

If the criminal history background check precludes employment with, or provision of services to, the College, the individual will be so advised.

The College may apply these procedures to other volunteers, independent contractors, or student employees.



## COLLEGE POLICY

### PERSONNEL

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All offers of employment at the College are contingent upon clear results of a thorough background check. Background checks will be conducted on all final candidates and on all employees who are promoted, as deemed necessary.

#### **Reservation of Rights**

Applicants or employees who are adversely affected by a criminal background check or a personal credit report will have the right to dispute the accuracy or completeness of information furnished to the College by the reporting agency as provided for in the Fair Credit Reporting Act.

The handling of all records and employee information relating to a CBC will be strictly confidential and revealed only to those who are reasonably required to have access. Nothing in this policy will prevent the use of such records by the College in connection with an employee grievance, a proceeding under Neb. Rev. Stat. § 85-1528, or in connection with litigation in any judicial or administrative forum. Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.

The College reserves the right to modify this policy at any time without notice. Adherence to this policy shall not limit the Board of Governors of the College's right to require and obtain additional information or to use other procedures in lieu of criminal background checks to obtain information relating to criminal activities of final candidates.

#### **Statutory Reference:**

Fair Credit Reporting Act, 15 USCS §1681d

Neb. Rev. Stat. § 48-202

Neb. Rev. Stat. § 71-1912

Neb. Rev. Stat. § 38-131

Neb. Rev. Stat. § 60-4,158

**Related Procedure:** E-3a

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