

CRIMINAL AND CREDIT BACKGROUND CHECKS THE PEOPLE CENTER

POLICY STATEMENT

Criminal background checks will be conducted on all external candidates to whom an offer of employment or appointment has been extended and who have not been employed by the College within the past 365 days. Employment will be contingent on successfully passing the background check. In addition, a background check (criminal and/or credit) may be performed for a current employee applying for a sensitive position or a position involving the handling of cash or financial assets.

SECTION I PURPOSE OF THE POLICY

Champlain College strives to provide a safe environment for visitors, students, faculty and staff. Information obtained by means of criminal and credit background checks helps determine the applicant's overall employability, ensuring the protection of the current people, property, and information of the organization.

SECTION II ELIGIBILITY PROVISION

This policy applies to all full-time and part-time employees (except current students) of Champlain College.

SECTION III DEFINITIONS

Sensitive position: A job which requires contact with minors or other "vulnerable populations" as defined by the National Child Protection Act as Amended in 1994. A Security Officer is an example of a "sensitive position."

SECTION IV POLICY

All background checks shall include a check for criminal conviction records and sex offender status. Sensitive positions will require fingerprint checks in addition to the background information which is verified for non-sensitive positions. Driving records will be checked if the applicant is being offered a position for which driving a company vehicle is a requirement. In addition, a credit check will be performed for candidates seeking a position which involves the



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handling of cash or other financial assets. Information provided in a background check report will not be used as a basis for denying employment, unless it impacts job-related issues or business necessity.

The People Center will ensure that background checks are processed in compliance with applicable federal and state statutes, such as the Fair Credit Reporting Act. As such, the People Center will:

- a. Disclose to the candidate or employee plans to obtain a consumer or investigative consumer report and that the information received will be used solely for employment purposes. [Consumer Report Disclosure Form](#)
- b. Obtain a candidate's written consent prior to obtaining a credit report. [Background Check Release Authorization](#)
- c. Provide the individual with a summary of their rights under the FCRA. [Summary of Your Rights](#)
- d. If the results of the background check are negative in such a way as to impact the employment status of the individual, a Pre-adverse action letter, a copy of the report and a Statement of Consumer Rights will be provided to the individual before a final determination is made.
- e. The individual will have three business days of receiving the report to contest the information provided in the report.
- f. If the individual does not contest the information in the report, or if contested information proves to be correct, the candidate will be informed, in writing, of the people Center's decision to rescind the offer of employment.

The Vice President, People & Technology, Director of Security and the Sr. Vice President, Institutional Advancement and Finance shall make an individualized determination of whether a candidate's background check result warrants a revocation of the offer of employment. The decision shall weigh the severity of the criminal offense and the relationship between the offense and the duties of the position for which the offer has been extended.

Information attained from the background check process will only be used as part of the employment process and will be kept strictly confidential in accordance with any applicable state or federal law.

SECTION V POLICY ADHERENCE

The Sr. Vice President, Institutional Advancement and Finance is the responsible official for this policy. Any exceptions to this policy must be approved by the Vice President, People & Technology.



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SECTION VI CONTACT

Questions related to the interpretation of this policy should be directed to the Vice President, People & Technology.

The People Center's policies and procedures are updated on an as-needed basis. As such, the College reserves the right to alter, amend or suspend the terms of this policy at its sole discretion; please refer to the policies posted on the People Center intranet site for the most current version. This policy does not constitute an employment contract.

