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Policy Information

Effective Date:

June 29, 2006

Last Revised Date:

November, 2023

Policy Number:

HR-401

Reference:

Classified Staff Human Resources Policy Manual 103.1

University Handbook for Appointed Personnel 2.23

Student Employment Manual 103.0

University Staff Manual 1-106

Responsible Unit:

Human Resources

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Purpose and Summary

To assist in creating a safe and secure workplace and to ensure that University of Arizona (University) employees are qualified to perform the jobs for which the University hires them, the University will conduct pre-employment screening, including Criminal Record Background Checks, on all Finalists.

Scope

This Policy applies to all University employees and designated campus colleague affiliates,

associates, and volunteers.

Definitions

Criminal Record Background Check means checks of motor vehicle license, court records, and criminal convictions based on identification and personal information provided by the Finalist.

Finalist means any person who is offered and accepts employment at the University as a new hire or rehire, or any current employee of the University who accepts a qualifying job change (such as reclassification/title change, promotion, transfer, additional job, reassignment, or other similar change) in the same or different position, or the same or different department.

Fingerprint-Based Criminal Record Background Check means state and nationwide checks for criminal convictions based on the Finalist's fingerprints.

Security- or Safety-Sensitive Position means any position designated as a Security- or Safety-Sensitive position by the University due to applicable federal or state law or pursuant to rules or policies adopted by the Arizona Board of Regents (ABOR) or the University. These include, but are not limited to, the following types of positions:

- University administrators and others with significant financial oversight responsibilities as follows:
 - President; provost; vice provosts; deans; vice presidents; assistant and associate vice provosts, vice presidents, and deans; department heads; and others appointed under the Conditions of Administrative Service; and
 - Positions at the Manager & Leader V (M5) job level; positions in the Finance Function at a Manager & Leader I-V (M1 through M5) job level; positions with an Administrative Operations Manager job code at a Manager & Leader I-V (M1 through M5) job level; and positions with an Administrative Operations Professional job code at a Professional Contributor III-IV (PC3 or PC4) level.
- Positions that have unsupervised contact with minors who are not enrolled students at the University.
- Positions for which a fingerprint check is prescribed by federal or state law (such as positions that have direct access to Select Agents, as defined by the USA PATRIOT Act of 2001 and the Public Health Security and Bioterrorism Preparedness Response Act of 2002, except where excluded by law because the Principal Investigator does not, at any time, exceed the Select Agent regulatory threshold quantities specified under the applicable regulations).
- Positions with unrestricted access to residence hall rooms.
- Other positions designated by the Human Resources Background Check Team as Security- or Safety-Sensitive. The Background Check Team may consult with knowledgeable subject experts as appropriate to the circumstances of the Security- or Safety-Sensitive request.
- Employees of the University of Arizona Police Department (UAPD). Pre-employment screening for these individuals will be conducted in accordance with UAPD hiring protocols.

Policy

I. Standard Pre-Employment Screening

- A. Prior to extending an offer of employment (including internal hires), the hiring authority or a designee will check and verify the following information:

- Professional references
 - Educational credentials
 - Employment history and past performance
 - Professional license or certification (if required)
- B. Human Resources will arrange the following checks to be conducted after an employment offer, including for an internal hire or job change, is accepted:
- Criminal Record Background Check
 - Motor vehicle record check
 - Degree verification (faculty qualifications for instruction)
- C. All employment offers are contingent upon the Finalist's successful completion of the University pre-employment screening.

II. Criminal Background Check Application

- A. Fingerprint-Based Criminal Record Background Check is conducted on all Finalists, both internal and external, for Security- or Safety-Sensitive positions, and on all Finalists who have disclosed a prior felony conviction on pre-employment forms.
- B. A name-based Criminal Record Background Check is conducted on all Finalists, both internal and external, for all other positions.
- C. For those Finalists accepting a qualifying job change, Human Resources may waive conducting a duplicate Criminal Record Background Check if the Finalist successfully completes the same type of check, conducted by Human Resources, during their continuous employment at the University.
- D. When a Finalist is rehired within 12 months from their last day of employment at the University, Human Resources may waive conducting a duplicate Criminal Record Background Check if the Finalist successfully completes the same type of check, conducted by Human Resources, during their most recent continuous employment at the University.

III. Background Checks for Graduate Assistants/Associates, Student Workers, and Non-Employees

- A. Finalists for Graduate Assistant and Graduate Associate (GA) positions are required to undergo a Fingerprint-Based Criminal Record Background Check if they perform a Security- or Safety-Sensitive job or have disclosed a prior felony conviction, otherwise all such Finalists are subject to a name-based Criminal Record Background Check.
- B. Finalists for student worker positions are not required to undergo a Criminal Record Background Check unless such individuals perform a Security- or Safety-Sensitive job or have disclosed a prior felony conviction on pre-employment forms.
- C. Designated campus colleague affiliates, associates, and volunteers are not required to undergo a Criminal Record Background Check unless such individuals perform a Security- or Safety-Sensitive job or have disclosed a prior felony conviction on designated campus colleague onboarding forms.
- D. Health sciences students may be required to submit to Criminal Record Background Checks in order to participate in training programs at University-affiliated institutions, under policies and procedures in effect at those institutions.

Compliance and Responsibilities

Human Resources coordinates all criminal and motor vehicle records checks and the resulting reports. In considering whether to hire a Finalist who has been convicted of a criminal offense, the University will consider the following factors:

- The relevance of a criminal conviction to job duties
- The date of the most recent offense and employment history since the commission of the crime
- The nature of the offense
- The accuracy of the information the Finalist provided on pre-employment forms
- If the felony occurred when the individual was a minor, consideration will be given to whether the minor was treated as an adult for purposes of prosecution

Any material misrepresentation or omission on any employment application materials or pre-employment forms, including but not limited to the job application, résumé, vita, or background screening consent and disclosure forms may be grounds for rejection of the application or termination of any subsequent employment with the University.

Compliance with the Fair Credit Reporting Act

An outside vendor may uncover information that may disqualify a Finalist from employment consideration. In such a case, the University will notify the Finalist of the information and provide a minimum of five days for the Finalist to refute, explain, or correct the information.

Record Retention

Human Resources manages and retains criminal pre-employment screening information. Information collected on successful Finalists is stored separately from the official employee files. Documents related to pre-employment screening information collected by hiring departments are filed and maintained in the departments and destroyed after three years, in accordance with the [State of Arizona Records Retention Schedule](#) [2].

Information Release

Criminal history record information is regarded as confidential and will be released only consistent with applicable law.

Frequently Asked Questions*

There are no FAQs relevant to this Policy.

Sources*

[Arizona Revised Statutes section 15-1649](#) [3]

[ABOR Policy 6-709](#) [4]

Related Information*

[ABOR Policy 6-101](#) [5]

[Designated Campus Colleague Quick Reference Matrix](#) [6]

[Guidelines for Designated Campus Colleagues](#) [7]

[Pre-Employment Screening and Background Checking Procedures](#) [8]

Revision History*

11/28/2023: Policy approved, moved from interim to permanent status. New language added to the Policy section, paragraph III.A. regarding finalists for Graduate Assistants/Associates positions are subject to a name-based criminal background check for non security- or safety-sensitive jobs. This requirement became effective July 1, 2023 under the interim Pre-Employment Screening Policy.

09/06/2023: Updated links to ABOR policies.

3/02/2023: Replaced *Division of Human Resources* with *Human Resources*.

02/12/2020: Non-substantive title update.

01/30/2015: Revised to reflect removal of criminal convictions question from employment application.

06/29/2006: Policy effective date.

Source URL:<https://policy.arizona.edu/human-resources/pre-employment-screening-policy>

Links

[1] <mailto:hradmin@email.arizona.edu> [2] <https://azlibrary.gov/arm/retention-schedules> [3] <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/01649.htm> [4] <https://public.powerdms.com/ABOR/documents/1499304> [5] <https://public.powerdms.com/ABOR/documents/1499221> [6] https://hr.arizona.edu/sites/default/files/DCC_Srvc_Matrix.pdf [7] <https://hr.arizona.edu/employees-affiliates/affiliates> [8] <https://hr.arizona.edu/supervisors/recruitment/background-checks>