

Office of Human Resources Employment & Recruitment Services 6200 University Center (A) Tallahassee, FL 32306-2410 Phone: 850-644-7938, Fax: 850-644-7033 Submit electronic requests via University Dropbox

### **Department Process for Requesting Criminal History Background Checks**

Please review <u>University Policy OP-C-7-B11</u> on Criminal History Background Checks which outlines the background check requirements for the University.

All criminal history background checks shall be coordinated by the Office of Human Resources, Employment & Recruitment Services (HR-ERS). Criminal history background checks must be conducted and reviewed by Human Resources prior to (1) an offer of employment, in the case of A&P, USPS, OPS, and Volunteers, or (2) the start of employment, in the case of Faculty. Offer letters may be provided to Faculty candidates for hire prior to the completion of a criminal history background check provided that the following language is included in the offer letter: "This offer is contingent upon the successful completion and favorable results of a criminal history background check prior to your start date."

Criminal history background checks must be requested in advance to allow adequate time for processing. Turnaround time is generally 48 – 72 hours. Any questions concerning the criminal history background check process should be directed to HR-ERS at <u>HR-ERS@fsu.edu</u> or by calling (850) 644-7938.

### **Types of Criminal History Background Checks**

A. Standard Criminal History Background Check: includes a seven-year county criminal history search, an FDLE statewide search, a national criminal database search, a federal criminal search, and a National Sex Offender search. (\$60)

B. Level 2 Criminal History Background Check: includes an FDLE statewide and FBI nationwide fingerprintbased check, as well as notification of any warrants or domestic violence injunctions that the individual may have. The type of fingerprinting accounts are, as follows:

a. Candidates: candidates being considered for employment in positions that require fingerprinting. (\$70/out of town vendor fee \$83)

b. Volunteers (Non-summer camp) – non-paid volunteers being considered for volunteer duties that require fingerprinting. (\$57/out of town vendor fee \$70)

c. Summer Camp Candidates & Volunteers – candidates or volunteers being considered for a University-sponsored summer camp. In accordance with Section 409.175, Florida Statutes fingerprints must be channeled through the Department of Children & Families (DCF). Additionally, the <u>Affidavit of Good Moral Character form</u> must be completed by each camp candidate/volunteer at the time of initial fingerprint screening and upon rescreening. (*\$46.75/out of town vendor fee \$65.75*)

C. International Criminal History Background Check: a criminal history search outside of the United States; this search is conducted per country and as available. (*Price varies per country.*)

## **Requesting a Criminal History Background Check**

1. Upon advertising a position, the hiring department will complete the online background check questionnaire via the <u>Criminal history Background Check Portal</u> and submit it to their assigned recruiter to ensure the correct level of criminal history background check is specified in the job posting. Once a top candidate has been identified and the department is ready to request the criminal history background check, return to the portal, complete the online request form, and submit it to HR-ERS following the steps outlined below.

If the position is unadvertised, OPS Express, or a volunteer/courtesy appointment, complete the Background Check Questionnaire and request form via the <u>Criminal History Background Check Portal</u> once a top candidate has been identified and submit it to HR-ERS. HR-ERS will determine the appropriate type of check based on the background check questionnaire. If a criminal history background check is not required for the OPS or volunteer role, HR-ERS will advise you accordingly once the completed questionnaire is submitted to HR. Note: This process must be completed for every appointment.

- 2. To initiate the background check process, the department should contact the candidate advising them that they've been identified as one of the department's top candidates, and the next step in the process is to conduct a background check, as required. Obtain the candidate's information to fill out the request via the Criminal History Background Check Portal, to include: first, middle, and last name; aliases or maiden names (as this is important information to have for the Standard identifier-based search); social security number; date of birth; valid email address; and the countries they have resided in (for more than six months) within the past seven years. (*A good practice is to validate the candidate's name, social, and date of birth by viewing his/her social security card and driver's license/ID.*)
- 3. Once the request has been submitted via the <u>Criminal History Background Check Portal</u>, a PDF version of the Criminal History Background Check Request Form and Background Check Questionnaire (if position is unadvertised, OPS Express, or a volunteer/courtesy appointment) will generate. \*Send the request form (and Background Check Questionnaire as applicable) to HR-ERS by <u>logging into the University Dropbox</u> <u>system with your user name and password</u> and sending to <u>HR-ERS@fsu.edu</u>, by fax, or by campus mail.
- **4.** Once the request is received, HR-ERS will email the department to confirm the receipt of the form, indicate what level of check is required, and provide next steps.

#### a. If HR-ERS determines that a Standard Criminal History Background Check is required:

- i. HR-ERS will initiate the Standard identifier-based criminal history background check on the candidate via the University's background check vendor, Accurate Background, Inc.
- **ii.** \*The candidate will receive an email from Accurate with instructions on setting up a user name/password to log in and provide the screening company with the information needed to conduct the search. The department should advise the candidate to be on the lookout for the email from Accurate. (See screen capture on the last page for a sample of the email the candidate will receive from Accurate Background, Inc.)

- **iii.** Once the candidate provides the required information, the Standard identifier-based search will be conducted by Accurate with the results sent to HR-ERS.
- iv. The results of the search will be sent to HR-ERS for review.
- v. The department will receive an email from HR-ERS to advise them of the outcome, and a copy of the background check will be placed in a secure file in HR-ERS.
- **vi.** The department will be billed by HR using the budget information provided on the request form.

\*If the candidate doesn't have an email account, contact HR-ERS for the following forms, as they must be submitted along with the Criminal History Background Check Request in order for HR-ERS to proceed with the check: Authorization and Disclosure forms (required under the Fair Credit Reporting Act) and the Applicant Demographic Information sheet.

## b. If HR-ERS determines that a Standard plus a Level 2 Criminal History Background check is required:

- i. Once the department contact receives the email from HR-ERS indicating a Standard plus a Level 2 criminal history background check is required, the department must send the candidate to FSUPD for fingerprinting (Tuesday – Friday, 1 p.m. to 3 p.m.) with a valid photo ID.
- **ii.** Concurrently, HR-ERS will initiate the Standard identifier-based criminal history background check on the candidate via the University's background check vendor, Accurate Background, Inc.
- **iii.** \*The candidate will receive an email from Accurate with instructions on setting up a user name/password to log in and provide the screening company with the information needed to conduct the search. The department should advise the candidate to be on the lookout for the email from Accurate. (See screen capture on the last page for a sample of the email the candidate will receive from Accurate Background, Inc.)
- iv. Once the candidate provides the required information, the Standard identifier-based search will be conducted by Accurate with the results sent to HR-ERS.
- v. Once the candidate has been fingerprinted, FSUPD will provide HR-ERS a transaction ID to process in order to receive the fingerprinting results.
- vi. The results of both the fingerprinting and Standard identifier-based search will be sent to HR-ERS for review.
- vii. The department will receive an email from HR-ERS to advise them of the outcome, and a copy of the background checks will be placed in a secure file in HR-ERS.
- viii. The department will be billed by HR using the budget information provided on the request form.

\*If the candidate doesn't have an email account, contact HR-ERS for the following forms, as they must be submitted along with the criminal history background check request in order for HR-ERS to proceed with the check: Authorization and Disclosure forms (required under the Fair Credit Reporting Act) and the Applicant Demographic Information sheet.

#### Out of Town Candidates for Positions that require Fingerprinting

When candidates are from out of town/state, and a Level 2 background check is required for the position, it is highly recommended that the candidate(s) be taken to FSUPD for electronic fingerprinting while they are on campus for interviews. Prior to the interview, the hiring department should complete a request via the Criminal History Background Check Portal indicating **"Hold Prints"** in the comments section, submit it to HR-ERS, and then make an appointment with FSUPD for the fingerprinting. Once printed at FSUPD, the transmission of the candidate's electronic fingerprints will be withheld until the hiring department informs HR-ERS that the individual has been identified as the top candidate for the position and would like the fingerprints processed. If a candidate is not selected for the position, the department should inform HR-ERS, and we will request that FSUPD delete the fingerprints; the department will not be charged for the held prints that are deleted.

If an out of town/state candidate has been identified as a top candidate for a position that requires fingerprinting, but was unable to be fingerprinted at FSUPD while in town for the interview, when completing the information in the Criminal History Background Check Portal, the department should check "yes" to the field indicating: "Does your candidate/volunteer reside out of town and the position requires fingerprinting?". Once the request form is received, HR-ERS will then provide the department instructions on how the candidate can set up fingerprinting in their hometown through the contracted fingerprint vendor. Once printed, HR-ERS will receive the results in the same manner as usual. Please note, this is not the preferred method; the "Hold Prints" method outlined above should be used whenever possible.

#### Reminders Regarding Fingerprinting at FSUPD

- Fingerprinting Hours: Tuesday through Friday, 1pm 3pm. Services are provided on a first-come, firstserved basis. To schedule an appointment outside of these days/hours for an out of town applicant, contact the FSUPD Records Manager at 644-1610.
- Individuals MUST provide a valid photo ID (i.e. Driver's License, Student ID, State Issued ID, Military ID, Passport, etc.). Photocopies will not be accepted.

#### Special Notes on Summer Camp Background Checks:

- Per the Department of Children & Families (DCF), the <u>Affidavit of Good Moral Character form</u> must be completed by each summer camp candidate/volunteer at the time of initial fingerprint screening and upon rescreening. Completed affidavits should be sent in with the Criminal History Background Check Request Form for each summer camp candidate/volunteer to HR-ERS at 644-7033 or via the University Dropbox process. The affidavit form must be completed (all three pages) and notarized.
- Per DCF, current employees who have been screened for summer camps must be rescreened every 5 years to remain in compliance with the law. However, following the screening, if they have a break in service of over 90 days, they would need to be screened & cleared again before beginning work.
- Summer camp background checks must not be requested more than 60 days prior to the candidate's/volunteer's anticipated start date.

#### **International Criminal History Background Checks**

If the candidate has resided outside of the United States for six months or more within the past seven years, an international criminal history background check must be performed. International background checks are conducted per country and as available; additional fees apply. HR-ERS will contact the department with a quote, based on the countries listed on the request form. The international check will be conducted in addition the Standard or Level 2 plus Standard, and is run through Accurate Background, Inc.

#### **Criminal History Background Check Results**

- A. If a criminal history background check reveals any criminal history, the Human Resources Criminal History Background Check Committee will review the report and make a recommendation to the department. If the candidate is applying for a faculty position, the Office of Faculty Development & Advancement and/or the Office of the Provost will review all adverse actions prior to them becoming final.
  - a. The existence of criminal history does not automatically disqualify individuals from employment. Each case will be reviewed on its own merit with respect to the factors outlined below; however, any false answers, statements, or omissions made on the employment application may be grounds for rejection as a candidate for employment or immediate discharge, if employed.
  - b. In accordance with Equal Employment Opportunity Commission (EEOC) guidelines, the Human Resources Criminal History Background Check Committee takes the following factors into consideration when reviewing criminal history records:
    - i. The nature and gravity of the offense or conduct;
    - ii. The time that has passed since the offense, conduct and/or completion of the sentence; and
    - iii. The nature of the job held or sought.
- B. HR-ERS will advise the hiring department of the committee's final recommendation. The hiring department must contact the applicant to notify them accordingly.
- C. FSU complies with the <u>Fair Credit Reporting Act</u> when completing background checks. Applicants will be notified in writing before any adverse action is taken and if adverse action is taken.
- D. An unfavorable background check for one position does not prohibit an applicant from applying and being considered for other positions.

**Note:** If a department is audited and/or receives a request to share the results of a criminal history background check, please consult HR-ERS for guidance.

# Criminal History Background Check by Appointment Type Chart

Appointment Type:	Is a Criminal History Background Check Required?
New Hire Faculty, A&P, or USPS	Yes
New Hire OPS	If the duties of the position warrant it—reference Pre-employment section A.3. of Criminal History Background Check Policy 4-OP-C-7-B11
Appointing a New Volunteer	If the duties of the volunteer role warrant it— reference Pre-employment section A.3. of Criminal History Background Check Policy 4-OP-C-7-B11
Internal Movement of A&P or USPS (e.g., promotions, laterals, demotions, reassignments, transfers, changes in assignment, movement from one workgroup to another)	Yes
Salaried Faculty to A&P or USPS	Yes
OPS to Faculty, A&P, or USPS	Yes
Salaried Faculty to Salaried Faculty	If required by state or federal law, including for positions of special trust or responsibility— reference Current Employees/Volunteers section B.1.a.ii. of Criminal History Background Check Policy 4-OP-C-7-B11
OPS to OPS (including OPS Faculty)	If the duties of the position warrant it—reference Current Employees/Volunteers section B.1.a.ii. & iii. of Criminal History Background Check Policy 4-OP- C-7-B11
Faculty, A&P, or USPS to OPS	If the duties of the position warrant it—reference Current Employees/Volunteers section B.1.a. iii. & 3. of Criminal History Background Check Policy 4- OP-C-7-B11

Reclassification of A&P or USPS position	If required by state or federal law, including for positions of special trust or responsibility— reference Current Employees/Volunteers section B.1.b. of Criminal History Background Check Policy 4-OP-C-7-B11
One Volunteer role to another	If the duties of the volunteer role warrant it— reference Current Employees/Volunteers section B.1.c. of Criminal History Background Check Policy 4-OP-C-7-B11
Rehire Faculty, A&P, or USPS	If <u>break in service</u> more than 31 days, or if unfunded for 90 days or more (consult HR-ERS for procedure)
Rehire OPS	If there's been a <u>break in service</u> more than 31 days/if unfunded for 90 days or more & the duties of the position warrant it ( <i>reference Former</i> <i>Employees/Volunteers section C.2. of Criminal</i> <i>History Background Check Policy 4-OP-C-7-B11</i> ) (consult HR-ERS for procedure)
Reappointing a Volunteer	If there's been a break in volunteer service for 90 days or more & the duties of volunteer role warrant it ( <i>reference Former Employees/Volunteers</i> <i>section C.3. of Criminal History Background Check</i> <i>Policy 4-OP-C-7-B11</i> ) (consult HR-ERS for procedure)

#### Screen capture of the sample email the candidate will receive from Accurate Background, Inc.

Florida State University has invited you to fill out an online Background Check Information Form in order to conduct a background check for employment purposes. Please go to the following site and login:

(Link will be listed here)

Your login ID : Your password :

Please ensure you have all information necessary to fill out the online Screening Information Form, which may include information like employment and education history, driver's license or other relevant information, depending on the type of checks performed. The login and password above will only be valid for a limited time.

Clicking on the link above will take you to a secure website protected by an encrypted Secure Sockets Layer (SSL). Your browser settings can affect the ability of the link to open a browser window correctly. If the link doesn't connect properly, copy and paste the URL to a new browser window to access the login page. If you are unable to log in initially, please try copying the login and password out of this email and pasting them into the login screen directly.

Thank you, Accurate Background, Inc. Irvine, CA 800.216.8024

\*\* ISO 9001:2008 Certified \*\* Accurate Background, Inc.