

Policies and Procedures Handbook

Illinois Institute of Technology

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Subject: Background Checks: Pre-Employment
and Activities Involving Minors

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This policy establishes the parameters for conducting pre-employment background checks on individuals who apply for staff and faculty positions at IIT and for conducting criminal background checks on individuals participating in an IIT sponsored or related activity involving minors.

I. Pre-Employment

Pre-employment background checks, including criminal history, are a condition of employment for all newly hired or rehired staff and faculty members at IIT. This condition is applicable to full- and part-time and, at the discretion of the university, temporary positions. The university also reserves the right to conduct a check when a current employee applies for or is promoted or transferred into a new position and for whom a background check was not conducted when the employee was hired into the university. The background check may include a credit history for certain sensitive positions where such information is required. Additionally, it may include verification of social security number; previous employment; academic credentials; required licenses; motor vehicle history reports; and other records pertinent to the job. Background checks will be conducted and used in compliance with applicable laws in place at the time the check occurs.

For staff positions, only finalists under consideration will be subject to background checks. For faculty positions, only persons offered appointments will be subject to background checks. The appropriate acknowledgement and authorization will be signed by the prospective employee before the background check is initiated. If an individual refuses to consent to a background check, he or she will not be considered for employment.

The criminal history check will include county, state and/or federal criminal history records of misdemeanor and/or felony convictions. Consistent with state law, a conviction will not automatically disqualify an individual from employment; however, adverse information will be reviewed by the Associate Vice President for Human Resources, as appropriate, the General Counsel and/or Dean/Vice President of the applicable department (or his or her designee) (for staff positions) or the Provost (for faculty positions) and can, consistent with state law, be a basis for the withdrawal or denial of an employment offer. Consideration will be given to factors such as, but not limited to, the nature and severity of the offense; the age of the applicant at the time of conviction; the number of years since the conviction; and the position for which the applicant applied. Only those university officials set forth herein will make the requisite determination if a criminal conviction is in the prospective employee's record.

The Department of Human Resources will receive and maintain the results of background checks. All information will be kept as confidential as the situation warrants.

The background check must be completed prior to the start of employment; however, in exigent circumstances, the Associate Vice President for Human Resources in consultation with the hiring manager or the Dean in consultation with the Provost may approve the start of employment contingent upon the results of the check. In this instance, the offer of employment may be withdrawn or employment may be terminated if information discovered in the background check warrants such action.

In addition to the foregoing background checks, IIT reserves the right, consistent with state law, to conduct criminal background investigations when an employee is charged with any crime that reflects on his or her suitability for continued employment or during the course of an administrative investigation.

II. Activities Involving Minors

Criminal history checks are required for IIT staff, faculty members, students and volunteers participating in an IIT-sponsored or related activity, including, but not limited to, research projects, sports clinics, and educational and mentoring programs, involving one or more minors, regardless of the duration of the activity and whether it occurs on IIT property or elsewhere. A minor means an individual under the age of 18.

The check must be performed prior to an individual's interaction with the minor(s). The check will include county, state and/or federal criminal history records of misdemeanor and/or felony convictions. Although a conviction will not automatically disqualify an individual from participating in the activity, adverse information will be reviewed by the General Counsel (or designee), and any such information may, in the sole discretion of the General Counsel, require the withdrawal from or denial of the individual's participation in the activity. Consideration will be given to factors such as the nature and severity of the offense, the age of the applicant at the time of conviction, the number of years since the conviction and the proposed involvement of the individual in the activity as well as the nature of the activity.

The individual or department sponsoring the activity is required to coordinate with the Department of Human Resources to have the criminal history checks performed, and the sponsoring department will bear the costs of the checks. The Department of Human Resources will receive and maintain the results of such checks and will notify the General Counsel of any adverse information. Consistent with this policy, all information will be kept as confidential as the situation warrants.

If an individual participating in a covered activity has undergone a criminal history check within the immediately preceding 24 months, then a new check need not be conducted, provided that the results of the previous check remain available and are reviewed.

This requirement that criminal history checks be conducted for activities involving minors is not intended to apply to public events or large-scale activities, such as graduation ceremonies, fundraisers, fairs and picnics and similar events and activities.