Frequently Asked Questions
Office of Academic Affairs – Employee Background Screening Control

1. Who is subject to background check?

All employees hired (any posted positions) or transferring into an OAA unit on or after July 1, 2008. Exclusions include reclassified staff, faculty members, temporary employees, and student workers. Applicability of background checks to volunteers and interns will be discussed on a unit by unit basis to determine if necessary based on job responsibilities. OAA retains full and complete discretion and authority in determining whether to hire an applicant or transferee.

2. At what level do you screen?

Preliminary Screening
Candidates are expected to provide complete information at the time they are applying and interviewing for a position. When this is the case, discussions of police records can occur and can be taken into consideration before determining whether a job offer will be made. The hiring manager explains to candidates that they will be subject to a criminal background check if an offer of employment is made.

Once the hiring manager has made a final selection, he/she contacts the candidate to offer the position, pending the results of a background check. If the candidate accepts the offer, the supervisor will provide the HRP with the application materials and a completed Disclosure and Authorization Form.

Internal and External Transfers
It is the right and duty of the hiring manager to access the personnel file of transfer candidates (final selections) and to review the prospective employee’s work and attendance history, paying particular attention to performance appraisals and disciplinary data.

3. What are some sample questions that hiring managers can ask applicants?

Questions asked about a candidate’s past criminal history must target the specific circumstances surrounding the criminal convictions. Appropriate questions focus on the circumstances of the conviction, time frame, severity, and the candidate’s efforts since the conviction to make appropriate restitution or to rehabilitate. Questions must not suggest assumptions about the candidate’s moral character or be irrelevant to the nature of the convictions.

Since an individual is considered innocent until proven guilty, questions must focus solely on convictions and not arrests.

Examples of both appropriate and inappropriate questions include:
<table>
<thead>
<tr>
<th>Appropriate Questions</th>
<th>Inappropriate Questions</th>
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<tbody>
<tr>
<td>Can you tell me about the circumstances surrounding the conviction?</td>
<td>Have you ever been arrested?</td>
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<td>When and where were you convicted of this offense?</td>
<td>Was this the first/only time you were arrested?</td>
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<td>What was the official offense for which you were convicted?</td>
<td>How drunk were you? Do you have a problem with alcohol/drugs?</td>
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<tr>
<td>Are there other convictions not listed on your application?</td>
<td>How old were you when you were arrested?</td>
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4. What if a candidate does not list any criminal convictions on the application/consent form? Can a hiring manager ask a candidate about criminal convictions not listed on the application and/or consent form?

The hiring manager should ask the candidate if there are any criminal convictions not listed on the application and then discuss the details. If a candidate indicates that a criminal record was expunged, no further questions should be asked, as expungements cannot not be taken into account regarding a candidate’s employment.

5. What information is assembled?

**Application Review Items and Search Routines**
- Criminal Conviction:
  - Conviction(s) on application and Police Record Disclosure Form
- Former OSU Employee:
  - Prior OSU work history

**Reference Checks**
- HireRight Professional Electronic Network:
  - Criminal check based on Social Security
  - National Sex Offender and National Criminal Database
  - Motor vehicle (if necessary for position)
  - Credit check (if necessary for position)

**Internal and external transfers as noted in personnel files**

6. How do you use the information collected?

**Evaluation of Applications Evidencing Criminal Conviction**
If the candidate indicated criminal convictions on his/her application form, an analysis should be undertaken. The decision-maker should utilize these non-exhaustive criteria to assess the prospective employee’s suitability for the position based on:

1. The relationship of the conviction to the position.
2. The circumstances of the offense.
3. The employment and rehabilitation history of the individual.
4. The length of time since the offense.

All decisions are made on a case-by-case basis.

7. What activities/events may disqualify an applicant?

Prior (poor) work record
Falsification of application
Recent criminal conviction (within the last three years)
Numerous arrests and convictions
Previous negative decision – decision still stands

8. Who is on the Background Check Committee?

Bobbie Houser, Chair, Office of Academic Affairs
Alison Washburn, ES & UE
Sandy Li, CIO
Liz Boster, CIO
Peg Fochtman, Wexner Center for the Arts
Betty Ellis, Office of Minority Affairs
Linda Gonzalez, Libraries
Stacie Brewer, Office of Research

9. Who is responsible for disseminating background check decisions/information?

Notification of Approval/Disapproval
Managers receive an e-mail communication from the HRP advising of the disposition of the application. The applications of those candidates passing their background checks are returned to the respective hiring manager for processing. Candidates who have failed to pass their background checks are contacted by the BCC and advised of such. These candidates also receive a copy of the background check report. If a candidate has a question relative to the decision, he/she can contact the BCC. The BCC confers/meets with a declined candidate who is contesting decisions.

10. Are background check results subject to the Ohio Public Records Act?

Yes.

11. Why isn’t the specific information contained in a background check result communicated to the hiring manager or departmental administrator?

This information is not shared to protect the privacy of candidates and to minimize bias in employment decisions.
12. What are the retention guidelines for background check results and the consent form?

In accordance with the University Archive Records Retention Schedule:

- For candidates who are hired:
  - Background check results must be retained until reviewed by the BCC and a determination to hire is made. Once this occurs, the HRP will destroy the background check results to ensure confidentiality.
  - The Disclosure and Authorization Form (including a notation from the HRP as to when the background check was completed) must be retained in a locked and secure location separate from the candidate’s personnel file for the length of employment plus three years.

- For candidates who are not hired due to the information revealed on the background check, both the background check results and the background check consent form (including a notation from the HRP as to when the background check was completed) must be retained for three years by the BCC Chair in a locked and secure file separate from other documents generated by the selection process.

13. Who is responsible for retaining the background check records?

For those background checks mandated by Policy 4.15, the Office of Human Resources background check coordinator (BCC) is responsible for retaining records as outlined above. Otherwise, the applicable department’s HRP is responsible for retaining the records.

14. Where should the background check consent form and background check results be kept?

Consent forms and results should be maintained by the HRP in a secured file. This file should be separate from the personnel file and separate from other documents generated by the selection process.

15. To whom does the candidate present the additional information within the 5 business day comment period?

The hiring manager should direct the candidate to the HRP to discuss the negative decision.

16. Can I extend an offer to another candidate during the 5 business day comment period?

No.

17. What do I do if I get an Open Records Request?
If you should get an Open Records Request you will need to work with the Office of Legal Affair and the BCC to determine what will be included in the request.

18. How long will HireRight take to perform the check?

Two to three Business Days.

19. How will the HireRight notification e-mail be sent, and what will its subject line be?

HireRight e-mail updates come from customersupport@hireright.com. The subject line will include the words “Customer Notice” followed by details as to what the notice includes, such as a delay notice or report completion notice.

20. Where do I fax the Disclosure and Authorization Form to for HireRight?

Use one of the following fax numbers: 877-797-3442 (toll free fax) or 949-224-6020 (local fax), or e-mail a PDF to dmsemailfaxpf@hireright.com (scan, PDF, and e-mail).