

**LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM  
OFFICE  
Internal Policy**

Title: Background Checks

<u>Authority:</u> Board Action	Original Adoption: June 28, 2013
	Effective Date: July 1, 2013
	Last Revision: June 28, 2013

---

The Louisiana Community & Technical College System (LCTCS) is committed to providing the highest level of quality education and training and to ensuring the safety of students, staff, visitors and property of community and technical colleges. As part of this commitment, this policy establishes a practice of pre-employment background checks for all new employees of Louisiana's Community and Technical College System Office.

**Application**

This policy shall apply to all new faculty and staff, including classified staff, unclassified staff and all full time, part time and temporary faculty and staff.

**Definitions:**

*Appointment* – an unconditional offer of employment in the unclassified or classified service and the subsequent acceptance of such offer by a candidate.

*Conditional Offer of Employment* – an offer of employment that is conditional upon:

1. The candidate meeting certain criteria, such as passing the background check, agreeing to direct deposit, etc.
2. The Office of Human Resources verifying certain aspects of the conditional offer, such as the salary and, the applicant meeting the minimum qualifications, etc.

*Conviction* – finding of guilt (including a “no contest” plea) or the imposition of sentences, or both, by any judicial body having the responsibility to determine violations of the federal or state criminal statutes.

*Safety-sensitive or security-sensitive position* - a position determined to contain duties of such nature that the compelling State interest to protect itself from liability outweighs the employee's privacy interest.

*Unconditional Offer of Employment* – an offer by an appointing authority to a qualified applicant who has met all of the conditions set out in the conditional offer of employment for a classified or unclassified position.

## General Policy

The purpose of performing a background check is to determine and/or confirm, within appropriate legal limits, the qualifications and suitability of a job candidate for the particular position for which the candidate is being considered. This policy will help ensure that employment related decisions utilizing pre-employment background checks are made in accordance with applicable law.

Background checks will be completed only through the LCTCS Office of Human Resources. The results of the background check are confidential and are to be shared with members of the LCTCS office management on a strict “need to know” basis.

This policy does not limit the LCTCS right to hire, discipline or terminate.

### **Procedures**

A criminal background check is required for all new hires into LCTCS positions. This requirement must be included in all external job postings. If the advertised position requires driving on state business, the job posting also should include information that a driving record check and proof of possession of current valid insurance will be required once hired.

1. Pre-employment background checks are required for all candidates. The right and responsibility for performing the required check is reserved to staff of the Office of Human Resources. Candidates should be informed during the interview process that background checks are a condition of employment; other conditions should also be discussed, if relevant.
2. Following the interview process, and after a candidate has been selected for a conditional offer of employment, the selected candidate will be required to sign appropriate authorizations and consents prior to the performing of any pre-employment background checks. At this point, the selected candidate has been given only a conditional offer of employment and not an unconditional offer of employment.
3. Candidates are expected to provide complete and accurate information. Candidates who provide false or misleading information in their applications and/or authorizations may be eliminated from any further consideration.
4. Pre-employment background checks must be completed before a candidate is given a final Unconditional Offer of Employment for a position. All job offers should be conditioned upon satisfactory completion of the pre-employment background check. The pre-employment background check will consist of:
  - a. Social Security number verification/trace search;
  - b. Address history; and,
  - c. Criminal record search for those parishes/counties in which the candidate has lived during the past seven years.
5. Prior to taking any adverse action, the Human Resources staff will give the candidate appropriate notice. This notice will allow the candidate to respond within seven calendar days from the date of notification to the action being proposed with information relevant to the results of the background check. If the candidate satisfies all conditions of employment, the Human Resources staff will notify the hiring supervisor/manager that the candidate may now be given an unconditional offer of employment.

6. The background checks on candidates will be individually reviewed and decisions made with respect to employment based upon the totality of the candidate's qualifications and the results of the pre-employment background checks.
7. In general, the relevance of a particular pre-employment background check to a candidate's eligibility for employment is based upon factors including:
  - a. The nature of the job to be performed;
  - b. The nature and gravity of any adverse or negative information; and,
  - c. The age of any adverse or negative information (for example, the time that has passed since the offense occurred), as well as the age of the candidate at the time of the incident.
8. The LCTCS maintains certain safety and security-sensitive positions for which credit reports are deemed necessary when filling specific vacancies.
  - a. The system office's use of credit reports is limited to the following positions:
    - 1) Vice Presidents and above;
    - 2) The Director of Fiscal Affairs;
    - 3) Director of Budget; and,
    - 4) Controller.
  - b. Every applicant will be individually considered based upon the circumstances, nature and age of the information contained in the credit report.

### **Rights of the Applicant/Employer**

Any candidate whose background check is not satisfactory, upon his or her written request, shall have the right of access to the report received by the Office of Human Resources within seven calendar days of being notified of the withdrawal of a conditional offer. The request must be submitted in a timely manner in order to be honored.

### **Confidentiality**

All background checks performed under this policy shall be conducted in strict confidence. Information obtained will be provided only on a need-to-know basis.

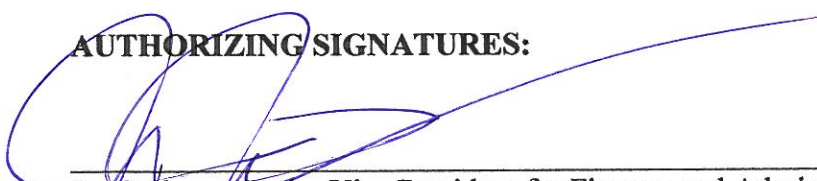
### **Questions**

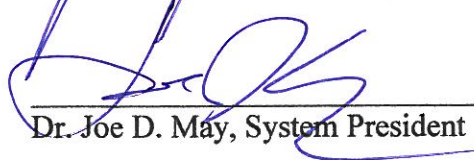
Questions regarding this policy should be directed to the Office of Human Resources.

### **Exceptions**

Requests for exceptions to this policy must be submitted in writing to the Appointing Authority, with specific and compelling justification.

#### **AUTHORIZING SIGNATURES:**

  
\_\_\_\_\_  
Jan Jackson, Senior Vice President for Finance and Administration

  
\_\_\_\_\_  
Dr. Joe D. May, System President