Policy on Background Checks for Academic Appointees
Indiana University
(by Action of the University Faculty Council: April 12, 2005)

Explanation

Background check guidelines of the Indiana state personnel department require a background check of employment and work history for all new state employees. Under those guidelines, certain new state employees are subject to criminal background checks, depending on the duties associated with their position. Positions requiring a criminal background check are described in the following way: "Positions falling into this category include, but are not limited to, direct care workers in state-operated facilities for children and facilities for vulnerable adult populations such as MR/DD, as well as those working with juveniles such as caseworkers in the Division of Family and Children - Family and Social Services Administration, and employees in juvenile facilities operated by the Department of Correction." It is the intent of this policy to limit criminal background checks for academic appointees at Indiana University to those appointees being considered for positions of this type, unless clearly dictated by professional norms or by applicable law.

Policy

The Constitution of the Indiana University Faculty grants authority to the faculty in matters pertaining to academic appointments. Background checking is an aspect of the appointment process which may be done before initial appointment to a position at Indiana University, or before a subsequent appointment to a different position within the university. A position, as the word is used here, is related to a category of appointment, such as tenure track faculty (FTX) or dean (AAI). It does not pertain to distinctions between groups within a category of appointment, such as assistant professor (FT3) and associate professor (FT2). The routine background check required for academic appointees before initial appointment shall be limited to 1) work experience relevant to the position sought, 2) employment during a period of at least seven years immediately preceding the date of application, 3) academic diplomas and degrees, and 4) any required licensure.

Additional background checks, such as a criminal background check or a financial background check, may be undertaken only in those cases where it is warranted by the duties associated with an initial position or a subsequent, different position within the university. For example, a criminal background check is appropriate if the duties associated with a position require significant contact with vulnerable populations. Likewise, a financial background check is appropriate if responsibility for disbursement of university funds is associated with a position. The incidence of criminal and financial background checks is expected to vary across the units of the university, reflecting professional norms and applicable laws. However, such checks shall be clearly delineated exceptions and not the rule. The information produced by any criminal or financial background check shall be viewed in context and held as confidential.

Procedures

Campus faculty governance bodies and school policy committees may develop detailed procedures to implement this university level policy.

The decision to include a criminal and/or financial background check as part of the academic appointment process rests with an appointing officer (a dean, a chancellor or the president) who heads the unit (school, campus or university) in which the appointment is being considered. At the school level, such decisions shall be made in consultation with the elected faculty governance body identified.

in unit procedures. Review of the background check report shall occur in the office of the appointing officer. Information contained in the report shall not be disseminated outside that office. Checks must be done on all finalists for a position that requires one, except in urgent cases where a conditional offer of appointment may be followed by a background check. Information contained in a criminal and/or financial background check report that is irrelevant to the appointment must be purged from all files, whatever their form. Information deemed relevant to the appointment must be communicated to the candidate, who shall be invited to provide comments. Subsequently, the appointing office will decide if the information is disqualifying. If an appointment is made, relevant background check information will remain in the appointee’s personnel file for the duration of the appointment. When the appointment is terminated, any criminal and/or financial background check information must be purged from the appointee’s personnel file. Likewise, in the case of all finalists not appointed, background check information must be purged from all files, whatever their form.