

Criminal Background Report Procedure

A criminal background report (CBC) will be completed on any individual who is selected as the final candidate for a position at Appalachian State University. Exceptions, Faculty and/or staff members who maintain a continuous employment relationship (as defined as lacking any formal, legal separation) with the University, with no greater than twelve (12) months break in service, will not be subject to background checks separate from the initial check completed upon hire. A satisfactory CBC must be completed before an applicant can begin work.

*When a current Non-Student Temporary Employee is scheduled to begin the required 31-day break in service and returns as a temporary employee, a new background check is not required if a successful background check has already been completed and the temporary employee has been in active pay status within the past 12 months. If a background check has not been completed or if the returning temporary employee has not been in active pay status within the past 12 months, a new successful background check must be completed before the employee is allowed to return to work.

SHRA/Temporary Positions	EHRA Positions
<p>The search committee chair notifies HR of selection decision, via the AppState Careers portal. The hiring authority moves final candidate's application to the Recommend for Hire workflow state, prompting HR to check if candidate needs to complete a criminal background check.</p> <ul style="list-style-type: none"> • The search committee chair directs browser to AppState Careers website for employees and supervisors • Selects applicant tracking portal • Chooses posting the applicant has applied to • Selects Applicants tab • Enter candidates name in the search field and click search. • Change final candidates workflow state • Click on candidate's name to go to application • Click Take Action on Job Application, a drop down menu will appear • Click on Recommend for Hire • If HR determines CBC is required, HR will change candidate's workflow state to Recommend for Hire (CBC Required). 	<p>The hiring authority notifies HR the verbal offer has been accepted, via the AppState Careers portal. The hiring authority moves final candidate's hiring proposal to the Offer Accepted workflow state, prompting HR to check if candidate needs to complete a criminal background check.</p> <ul style="list-style-type: none"> • The hiring authority directs browser to the AppState Careers website for employees and supervisors • Selects to the applicant tracking portal • Chooses hiring proposals • Enter candidates name in the search field and click search. • Change final candidates workflow state • Click on candidate's name to go to hiring proposal • Click Take Action on Hiring Proposal, a drop down menu will appear • Click on Offer Accepted, moving the hiring proposal to Human Resources • If HR determines CBC is required, HR will change candidate's workflow state to Offer Accepted (CBC Required).

- The above action will send the automated email to the candidate, notifying them that InfoMart, our third party vendor, will be sending a separate email with a link to a secure website where finalist completes the background check process online.

- The candidate submits the online request to InfoMart. (Results are generally available online within 2 to 5 business days. Multiple state checks and international checks may take longer). The Office of Human Resources requests candidate's timely completion of the request in order to prevent delays to the consideration process.
- All job offers are conditional until the criminal background report is reviewed. **No candidate may begin work until the background check is completed and approved.**
- If candidate applied using AppState Careers and the results are clear, the HR Employment Director will transition the Hiring Proposal to **All Approvals Obtained-Extend Offer**. The Hiring Department will make an offer and notify HR if candidate accepts position and establish a start date.
- If the results are not clear, the Director of HR or a designee from HR, will make determination and will follow procedures as outlined in section 4.3 of the Criminal Background Reports policy.

To ensure that false or erroneous information has not been transmitted in the criminal background report, and to comply with the Fair Credit Reporting Act (FCRA), the following measures shall be taken:

- If withdrawal of employment offer is being contemplated, the HR Employment designee will inform the candidate of the criminal background report. The HR Employment designee will provide the candidate with a copy of the background report, a copy of candidate's rights under Fair Credit Reporting Act, and a pre-adverse action notice via certified mail, return receipt requested
- The candidate will be given an opportunity to address the concerns/issues revealed in the criminal background report. The HR Employment designee and/or hiring division representative will wait five (5) business days from the date the return receipt is signed, or ten (10) business days from the date the copy of the report is mailed, if the return receipt is not signed, before making an employment decision.
- If it is determined that a candidate will not be extended an offer of employment, based upon information revealed in a criminal background report, the Hiring Proposal will be returned, electronically, to the hiring department and they will be asked to select another final candidate. If a conditional offer of employment has been extended, the HR Employment designee will notify the prospective employee that the offer of employment is withdrawn. This notification must be sent certified mail, return receipt requested, and contain the following information:
 - The name, address, and phone number of the Consumer Reporting Agency ("CRA") that provided the report, including a toll-free telephone number if the CRA compiles and maintains files on consumers on a nationwide basis. A statement that the CRA did not make the adverse decision and is unable to give specific reasons why the adverse decision was made.
 - Notification that the applicant has the right to:
 - Obtain a free copy of the criminal background report
 - Dispute the accuracy or completeness of any information in the report
- HR designee will ensure that background check records are maintained in accordance with North Carolina law. These application documents and related materials are considered to be confidential and will not be subject to public release as required or allowed by applicable provision of the North Carolina State Personnel Act (N.C.G.S., Chapter 126).