

**NOTICE OF AMENDED REGULATION**

**May 6, 2014**

**DEPARTMENT OF EDUCATION**

Division of Universities  
University of North Florida

**REGULATION TITLE:**

Pre-Employment Requirements

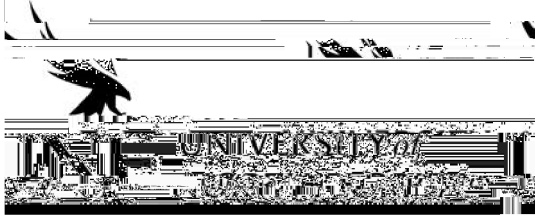
**REGULATION NO.:**

4.0080R

**SUMMARY:**

This Pre-

—



: 4.0080R

: 02/01/2006

:

~~Pre-Employment Requirements~~ Background Checks

: Administration and Finance/ Human Resources

New Regulation

Major Revision of Existing Regulation

Minor/Technical Revision of Existing Regulation

Reaffirmation of Existing Regulation

**OBJECTIVE & PURPOSE**

The purpose of this regulation is to ensure that the University conducts thorough background screenings of prospective non-unit faculty,

The background screenings will check seven (7) years of history for the applicant and

—

2. . Persons who perform budgetary, accounting, or other fiscal activities; and
3. Persons with control over operational processes through functional roles or ITS system security access.

There are other positions where Florida law requires employees or volunteers to undergo a fingerprint ("level II") background check based on the nature of services performed and/or with whom the individual works. These positions include, but are not limited to the following:

1. Persons who work with vulnerable populations, such as minors, individuals with disabilities or the elderly;
2. Persons working with minors in summer camps;
3. Persons working in a childcare center;
4. Persons working in a school system/district; and
5. Persons working in the UNF Police Department.

B. Background Check Process. The University may collect background information, including credit information for specified positions, on applicants consistent with the Fair Credit Reporting Act (FCRA). In order to obtain a credit report, FCRA requires organizations, including the University, to obtain a candidate's written authorization before obtaining a credit report. When doing this, the University must:

- x Certify to the consumer-reporting agency that the employer is in compliance with the FCRA and will not misuse the information it receives.
- x Disclose to the applicant or employee, on a separate form, its plans to obtain a consumer or investigative consumer report and that the information received will be used solely for employment purposes.
- x Obtain written authorization from the applicant or employee.
- x Inform the individual of his or her right to

Employees who were hired by UNF prior to the implementation of this regulation or did not undergo a UNF pre-employment background check at the time of hire and have a change in status, for example moving from OPS (temporary employment) to USPS or A&P (regular employment) will be provided this change in status contingent upon completion of a successful background check. Likewise, current employees who are promoted or who are reassigned to a position of trust or other position requiring a background check by law, will be offered the promotion or reassignment status contingent upon completion of a successful background check that is appropriate for the position's new duties. Persons who are reassigned but do not successfully pass a background check, may be subject to termination of their employment.

When a Background Check will not be Required.

- a. Persons who undergo a UNF pre-employment check and have a change in status, for example from an OPS to USPS or A&P position and maintain continuous employment with UNF, will not have to undergo another background check prior to

the change in status unless the new status is considered a "position of trust" as described in section II, A above.

- b. Promotions of faculty from assistant professor to associate professor and associate professor to full professor are not considered a change in status where a background check is required. Similarly, if an in-unit faculty member is promoted to a faculty administrative position, no background check will be required unless the new status is considered a "position of trust" as described in section II, A above.
- c. If a current employee separates from UNF but resumes employment within less than one (1) year, the person will not have to undergo a pre-employment background check.

D. The results of each background check will be reviewed with the following considerations and in accordance with Equal Employment Opportunity Commission (EEOC) guidelines, to determine whether the records are grounds for denying employment:

1. The nature and gravity of the offense; and
2. The time period that has elapsed since the conviction; and
3. The nature of the job for which the applicant is applying;  
and
4. Reoccurrence and pattern of criminal behavior; and
5. Truthfulness of the applicant in disclosing the offense(s); and
6. Information supplied by the applicant about the offenses(s).

A

---

information by law, is public record.

*NOTE: As set forth in the Code of Conduct and Ethics, 1.0020P, all faculty and staff are required to report alleged violations of law including arrests by a law enforcement official that could impact the individual's temporary or continued performance of their job duties.*

*References: 1001.74, FS.; 1001.75, FS. and relevant Collective Bargaining Agreements ;  
History: NEW 2-1-06; Repealed 6C9-4 Adopted by the University of North Florida Board of Trustees as part of the University's Personnel Program on January 26, 2006. Formerly 4.005;  
Amended.*