

Frequently Asked Questions – Background Check Process for Faculty Positions

1. Why is RIT making this change?

Similar to other universities, including some of our benchmark schools, our decision to move in this direction was primarily influenced by RIT's commitment to provide a safe learning, living and working environment for our students, faculty and staff.

2. What other schools perform this process?

A number of universities perform background checks on all of their new hires; the most notable include George Washington, Duke, Emory, Michigan State, Drexel, Purdue and Virginia Polytechnic Institute.

3. What is the AAUP's position on background checks for faculty?

As submitted in a 2004 report, the AAUP favors this on a limited basis only. However, as noted in question number 2, a number of universities have moved in this direction for all faculty hires.

4. What positions are covered by this change?

All offers for tenure, tenure track, non-tenure and adjunct positions will be contingent upon the successful results of a background check beginning March 1, 2015. RIT currently performs a background check for all staff and administrative positions and our third-party temporary employment partners perform background checks on all individuals who are placed at RIT.

5. What exactly is included in RIT's background check process?

RIT's background check process includes a check of:

- Previous criminal convictions
- State and federal sex offender registries
- RIT student conduct history (if the candidate was or is currently an RIT student)
- Motor vehicle record (if driving is an essential function of the position)

6. How much time does it typically take to complete the background check process?

If there are no findings, which is the case in the majority of background checks, the process can be completed within 72 hours of HR's receipt of the release form from the candidate.

7. What about emergency situations when we find out that someone is leaving on a Friday and we need a replacement in on Monday?

In the case of an emergency (an individual is offered a position and needs to start within the next business day*) the individual may start work, however **must report to the Human Resource office within 24 hours of their start date to complete all required paperwork**. The individual's continued employment will be based on the outcome of the background check process and the completion of required federal employment forms.

*business day is defined as Monday through Friday (not including university holidays)

8. How will this change impact the hiring process?

All offer letter templates will contain language that speaks to this requirement. Once a candidate receives a written offer, the following will take place:

- The candidate will complete and return a release form to HR which will allow us to perform the background check process. Generally the background check process is completed within 72 hours of our receipt of the release form.
- If the results of the process are clear (no issues) HR will notify the hiring manager who will then notify the candidate. The candidate will begin employment on the date specified in the offer letter.
- If negative results are reported in the background check process, the Associate Vice President for Human Resources will examine the results and evaluate them based on the factors required by law. If the AVP of HR determines RIT should continue with the hire, the process in the above bullet item will be followed.

If the AVP of HR determines that RIT should not continue with the hire, the AVP will consult with the appropriate Vice President of the university before finalizing this decision. If the decision is to not go forward with the hire, HR will first notify the hiring manager. Detailed information regarding the issues discovered in the background check will not be communicated to the hiring manager as this information is protected by law. HR will then contact the candidate to inform him/her of the outcome of the background check. If the candidate believes the information contained in the background check is inaccurate and wishes to contest the validity of the information, he/she will have up to 60 days to clear the record. The department will be required to hold the position open for that time period; this is required by the Federal Credit Reporting Act (FCRA). If the status changes to "clear" in that time period, the individual may be hired for the position. If not, the hiring manager may move to the next candidate or reopen the position for another search. The hiring manager may hire a temporary (or adjunct) employee to cover the staffing need during the 60 day period.

9. What are the laws that support this type of process?

As mentioned above, the Fair Credit Reporting Act (FCRA) protects the privacy of the individual and the disclosure of this information. Please refer to the [FCRA Summary of Rights and Responsibilities](#).

There are additional laws related to the specific factors that may be considered in an employment decision under New York Correction Law. Please note that these laws were created to ensure that individuals are not discriminated against based on past criminal activities that are not related to the position for which they are applying. Criminal conviction information will not be used to discriminate against candidates. The existence of a criminal conviction will not automatically disqualify an individual from employment or employment consideration. Specific information regarding New York State's law is located on [RIT's Background Check Release Form](#), which is sent to all candidates who receive a job offer.

Additionally, various state and federal discrimination statutes prohibit employer practices that may have a disparate impact on members of a protected category. This process is intended to minimize any potential impact on those individuals.

10. What about written offers that are extended prior to March 1, 2015?

If a written offer for a faculty position has been extended prior to March 1, 2015, it will not contain the requirement for a background check.

11. Will this process apply for foreign nationals?

Yes, RIT will follow the same process for foreign nationals. The amount of available data will be dependent upon the amount of time that the foreign national has lived and worked in the U.S.

12. Will this process apply if we rehire retirees?

The process will apply to anyone who receives an offer letter from RIT after March 1, 2015.

13. Does RIT conduct background checks on student employees?

Not at this time, with the exception of a very limited number of positions on campus.

14. Does the background check process include checking credentials and references?

No, this check should be completed by the search committee and/or hiring manager, if required.

15. Will RIT extend this process to our global campuses?

We need to determine what processes are available and legal at our global campuses. We will however include anyone hired by the Global Delivery Corporation as a US-based employee working at our global campuses.