

Summary of Proposed University Policy 101.23 Criminal Background Checks and Criminal Activity Reporting

What is the purpose of the proposed policy?

The policy has two primary objectives. First, the policy formalizes when and under what conditions criminal background checks are conducted on university employees, contractors, and volunteers, aligning the university with best practices prescribed by risk assessment professionals that have seen widespread adoption by other colleges and universities. Second, the policy specifies when and to whom an employee is expected to make a report if s/he receives a criminal conviction.

What does this policy change about UNC Charlotte's existing procedures?

- Employees who change positions within the university will be subject to a background check prior to such change.
- Employees who engage in certain "Sensitive Duties" as part of their job, including supervising minors, accessing sensitive areas or information, or maintaining responsibility for university financial resources, will be subject to background checks every five years of employment.
- Volunteers and contractors who engage in the same "Sensitive Duties" will also be subject to checks.
- Motor vehicle record checks will be conducted on employees who drive a state vehicle as part of their job or to whom a state vehicle is provided for university business.
- Credit checks may be conducted on employees identified by the Controller's Office as having certain financial authority or responsibility.
- Employees who are convicted of (as opposed to charged with) a crime must report that conviction within one working day.

What remains unchanged?

- The final candidate for all employee positions remains subject to a background check.
- Employees who receive a promotion but do not assume new duties will not be subject to a background check.
- UNC Charlotte can still take disciplinary action based on the circumstances surrounding a criminal charge or conviction as is consistent with the State Personnel Manual and UNC system policies.

What is the implementation date for this policy?

The policy will go into effect as soon as the Chancellor approves it, and employees will be required to report criminal convictions from that date forward. However, it is not expected that UNC Charlotte will be able to implement all aspects of the background check policy immediately. Fully defining "Sensitive Duties" and identifying positions engaged in those duties, for instance, may take months or years. Adoption of the policy is an important first step towards implementing best practices, but there is significant work ahead.