

FAYETTEVILLE STATE UNIVERSITY

CRIMINAL BACKGROUND CHECKS VOLUNTEERS AND CONTRACTORS

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| Authority: | Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor. |
| Category: | University-Wide |
| Applies to: | ●Administrators ●Faculty ●Staff ●Volunteers ●Contractors |
| History: | Approved – April 30, 2012 First issued – May 4, 2012 |
| Related Policies: | ● <i>Volunteers</i> |
| Contact for Info: | Office of Legal Affairs (910) 672-1145 |

I. PURPOSE

Fayetteville State University (University) is committed to providing a safe and secure environment for all University constituents, including employees, students, visitors and the general public. To protect the campus community and its assets, the University seeks, to the extent possible, to confirm an individual's suitability relative to the requirements of their volunteer service or contractual obligations to the University. This policy (*Policy*) is designed to enable the University to reduce its risks and to achieve the goal of providing a safe and secure environment by conducting criminal background checks on certain volunteers and independent contractors.

II. VOLUNTEERS

The University shall require a volunteer to be subject to a criminal background check if the volunteer's service to the University will involve working with minors or having direct contact with minors and/or the volunteer will have fiduciary responsibilities, such as access to University funds. The background check shall be conducted in accordance with the procedures outlined in Section IV of this *Policy* and must be completed prior to the volunteer beginning the volunteer's service with the University.

III. INDEPENDENT CONTRACTORS

The University shall require an independent contractor and/or its employees to be subject to a criminal background check in situations where work to be performed by the independent contractor involves security-sensitive functions or where the independent contractor will have direct contact with minors. A background check shall be conducted in accordance with the procedures outlined in Section IV of this *Policy* and must be completed prior to the execution of a contract between the independent contractor and the University.

VI. PROCESS FOR CONDUCTING BACKGROUND CHECKS

The process for obtaining a criminal background check shall be as follows:

A. Background Check for a Volunteer

If a proposed volunteer has satisfied all of the requirements of the University's policy on volunteers and the volunteer will engage in service to the University as described in Section II above, the Unit Head interested in the services of the volunteer shall inform the volunteer that a background check will be required. The Unit Head shall provide to the volunteer the *Authorization to Conduct a Criminal Background Check (Attachment A)* and the *Background Disclosure Form. (Attachment B)* which must be completed, signed and submitted to the Office of Legal Affairs for processing. The criminal background check must be completed prior to the volunteer beginning the volunteer's service with the University. If a proposed volunteer chooses not to sign the *Authorization to Conduct a Criminal Background Check form (Attachment A)* and the *Background Disclosure Form. (Attachment B)*, the University will not consider the individual as a volunteer.

B. Background Check for an Independent Contractor

A Unit Head interested in the University contracting with an independent contractor who will be engaged in activities described in Section III above shall inform the independent contractor that a background check will be required of the independent contractor and/or the independent contractor's employees. The Unit Head shall provide to the independent contractor the *Authorization to a Conduct Criminal Background Check form (Attachment A)* and the *Background Disclosure Form. (Attachment B)*, which must be completed, signed and submitted to the Office of Legal Affairs for processing. The background check must be completed prior to the execution of a contract between the independent contractor and the University.

C. Processing of Background Check Forms

Upon completion of the *Authorization to Conduct a Criminal Background Check form* and the *Background Disclosure Form*, the proposed volunteer or independent contractor shall forward the forms to the Office of Legal Affairs. The Office of Legal Affairs shall submit the request for a criminal background check to a third-party provider who will conduct the background check(s). In order to maintain the utmost discretion and confidentiality, results will only be provided to the Office of Legal Affairs.

D. Legal Affairs Review

Upon receipt of the report from the third-party vendor, the Office of Legal Affairs shall review the results of the criminal background check. If the proposed volunteer's or independent contractor's criminal background report reveals information that the Office of Legal Affairs deems relevant to the proposed volunteer's or independent contractor's appropriateness to engage in the service/activities described above, the Office of Legal Affairs shall discuss the results of the reports with the appropriate Unit Head. After consulting with the Office of Legal Affairs, The Unit Head shall determine the suitability of the proposed volunteer or independent contractor for service to the University.

**FAYETTEVILLE STATE UNIVERSITY
VOLUNTEERS/CONTRACTORS**

**Authorization to Conduct a
Criminal Background Check**

Volunteer/Contractor Responsibility _____

Department/Unit _____

I understand that by this document Fayetteville State University (University) is disclosing that a criminal background check may be obtained as part of my request to become a University volunteer. A consumer or credit reporting agency that has a contractual relationship with the University will provide this report.

By signing this document, I authorize the University to procure a criminal background report from a consumer or credit reporting agency and I hereby release the University, members of its board, officers, employees, agents, and representatives from all liability or responsibility arising out the information provided in the consumer report and also out of the manner in which the report was prepared and provided and considered by the University and/or the consumer reporting agency. I further authorize any party or agency contacted by the University or its agent to furnish criminal background information and hereby release all such parties involved from any liability and responsibility for damages for having furnished such information in good faith.

I understand that the information requested on the disclosure form is for the sole purpose of gathering the above-mentioned information about me accurately. I understand that providing my social security number on this form is voluntary and is for the sole purpose of obtaining a criminal background report. A facsimile or photographic copy of this authorization will be as valid as the original.

I understand that if I fail or refuse to execute this document no further consideration will not be given to my request to become a volunteer.

Volunteer Signature _____ Date _____

Volunteer Name (printed) _____

**UPON COMPLETION, PLEASE FAX TO THE ATTENTION OF
THE OFFICE OF LEGAL AFFAIRS AT 910-672-2291**

FAYETTEVILLE STATE UNIVERSITY

Background Check Disclosure Form

VOLUNTEER/CONTRACTOR INFORMATION

Volunteer/Contractor Responsibility _____

Department/Unit _____

GENERAL INFORMATION

Last Name _____ First Name _____

Middle _____ Maiden Name _____

Alias _____

Social Security Number _____ Date of Birth _____

Driver's License Number _____ State _____ Issue Date _____

Gender () Male () Female Race _____

CITIES/STATES RESIDED IN WITHIN THE LAST SEVEN YEARS

Current Address: _____

Length at Current address _____ (If less than 7 years please provide previous addresses below)

Previous Address (1) _____

Previous Address (2) _____

Length at previous address (1) _____ Length at previous address (2) _____

PLEASE FAX ALONG WITH THE AUTHORIZATION FORM TO
THE OFFICE OF LEGAL AFFAIRS AT 910.672.2291

