



Policy # HR 6.013

Background/Investigative Inquiry Policy

Authority: Chancellor

Effective Date: 07/01/2013

Last Revision: 03/04/2024

PURPOSE:

It is the policy of Fletcher Technical Community College to conduct pre-employment background checks for all new faculty and staff, including classified staff, unclassified staff and all full-time, part-time and temporary faculty and staff. It is the commitment of Fletcher to provide the highest level of quality education and training and to ensure the safety of students, staff, visitors and property of the college.

- As part of the pre-employment process, background checks shall be conducted on all prospective Fletcher employees and results received prior to a final offer/commitment of employment.
- On active employees, as deemed necessary, for the duration of employment with Fletcher.

POLICY:

I. Implementation

Background checks will be required for all new employees as defined above with an effective date beginning on 7/1/13. This policy or any subsequent revisions are effective upon signature/date of the Chancellor/Appointing Authority or as established within the policy.

Upon implementation, all current employees will review this policy by assignment. Employees will be required to sign an acknowledgement form.

All applicants will be notified that employment is conditional upon background checks and the type of background check required. All new employees will be given a copy of the policy as part of orientation and will be required to sign an acknowledgement form.

II. Background/Investigative Inquiries

A. New Hire Inquiries to be required include:

1. National Crime Index

2. Parish/County Criminal History Search
 3. Sex Offender Search
 4. Social Security Number Trace
- B. Miscellaneous Inquiries listed below, may be requested on an individual basis for active employees or in addition to the bundle for new hires, as necessary:
1. Employment Verification
 2. Education Verification
 3. Personal/Professional Reference Verification
 4. International Criminal History Search
 5. International Watch Status
 6. Motor Vehicle Record
 7. Federal
 8. Professional Licenses
 9. Consumer Credit Report

III. General Provisions

- A. Human Resources shall provide notification of the background/investigative inquiry requirements by posting on the college website.
- B. Human Resources shall provide and include information regarding background/investigative inquiry requirement as well as a copy of the Fair Credit Reporting Act disclosure statement to prospective employees for positions filled by any means.
- C. Human Resources will ensure that background/investigative inquiry results are kept confidential and only shared with those persons having a need-to-know.
- A signed release form is required for all background checks. Any employee conducting an inquiry without a signed release will result in a disciplinary action up to and including removal/termination.
- Copies of reports shall not be included in the employee's personnel file, but shall be filed separately.
- D. Human Resources will be responsible to compile appropriate information necessary to be used as defense in the event of legal challenge.
- E. Human Resources will compile statistics as required.
- F. Each prospective employee or active employee with questionable information resulting from a background/investigative inquiry may still be considered for appointment or continued employment on a case by case basis.

The Chancellor/Appointing Authority or designee will take into consideration the position applied for or current position, the nature and gravity of the offense, and the time that has passed since the questionable offense.

- G. Human Resources will maintain a disqualification list. Human Resources will submit names to Louisiana Community and Technical College System (LCTCS) Human Resources as applicable.
- H. For purposes of this policy, an employee transferring into Fletcher, from another state agency, shall be considered a prospective employee/new hire.
- I. For purposes of this policy, an employee laid off and being appointed from the Fletcher Department Preferred Reemployment List with a break in service, will be considered a prospective employee/new hire.
- J. For purposes of this policy, the following personnel actions processed within the LCTCS from one business unit to another, without a break in service, will be considered an active employee/new hire.
- K. Human Resources will receive and verify monthly invoices prior to payment of services.

IV. Background/Investigative Inquiry Requirements

A. Prospective Employees

1. A prospective employee, to whom a conditional offer of employment is made, shall be given information on the background/investigative inquiry; shall be required to provide the necessary information used to conduct a background inquiry and shall sign an agreement/consent to submit to a background/investigative inquiry and the release of results.

Note: Prior to conditional offer of employment, Human Resources will check the “disqualification” list.

2. A prospective employee shall have the conditional offer of employment withdrawn and shall be subject to disqualification from consideration for employment with Fletcher for a period of one (1) year from the effective date of the disqualification action when prospective employee:

- a. Declines to consent to the background/investigative inquiry. The prospective employee shall be asked to complete “Refusal to Consent to Background/Investigative Inquiry” form.

Refusal to sign form: If a prospective employee refuses to complete the “Refusal to Consent to Background/Investigative Inquiry” form, it shall be completed by the business unit.

- b. Provides false information or knowingly omits information.

3. A former Civil Service employee who has been laid off and declines to consent to the background/investigative inquiry upon being offered employment/appointment from the Fletcher Department Preferred

Reemployment List (DPRL), will be reported to the Department of Civil Service and may be cause for removal from the DPRL.

B. Active Employees

Background checks for active employees shall only be conducted if supported by sufficient business reasons as documented and approved by the Chancellor/Appointing Authority or designee.

1. An active employee shall be given information on the background/investigative inquiry; shall be required to provide the necessary information used to conduct a background inquiry and shall sign the “Agreement/Consent Form to Submit to a Background/Investigative Inquiry and the Release of Results”.
2. An active employee who declines to consent to the background/investigative inquiry shall be subject to disciplinary action up to and including removal/dismissal. The active employee shall be asked to complete “Refusal to Consent to Background/Investigative Inquiry” form.

Refusal to sign: If an active employee refuses to complete the “Refusal to Consent to Background/Investigative Inquiry” form, it shall be completed by the business unit.

3. An active employee who provides false information or knowingly omits information shall be subject to disciplinary action up to and including removal/dismissal.
4. Section V. B. of this policy shall be followed for each instance of a background inquiry for an active employee.

V. Notification of Pre-Adverse Action

A. Withdrawal of Job Offer due to a report

1. Prepare “Pre-Adverse Action Notice” to prospective employee.
2. Attach copy of the report and copy of the “Summary of Your Rights Under the Fair Credit Reporting Act”.
3. Allow 10 calendar days from date of mailing for response.

B. Disciplinary action/termination due to a report

1. Classified Employees:
 - a. Permanent Status

As part of the pre-discipline process, employee shall be provided with a copy of the report and a copy of the “Summary of Your Rights Under the Fair Credit Reporting Act” and allowed 10 calendar days for response.

b. Probational Appointment, Job Appointment and Restricted Appointment

Although a pre-discipline process is not required, employees shall be provided with a copy of the report and a copy of the “Summary of Your Rights Under the Fair Credit Reporting Act” prior to a termination.

c. Unclassified Employees (Bi-weekly, Student)

Any unclassified employee shall be provided with a copy of the report and a copy of the “Summary of Your Rights Under the Fair Credit Reporting Act” prior to a termination/dismissal letter.

VI. Exceptions:

Any exception to this policy must be approved by the Chancellor/Appointing Authority or the LCTCS Office of Finance and Administration.

DISTRIBUTION: Electronically via College’s email and website

APPROVAL:

Reviewing Council/Entity	Approval Date
Governance Council	02/15/2024
Leadership Group	03/04/2024