

SOUTHWEST TENNESSEE COMMUNITY COLLEGE

SUBJECT: Background Check Process

EFFECTIVE DATE: July 1, 2000; Revised May 3, 2023;

Revised June 2, 2025 (updating job title; background checks will be nationwide)

Purpose

The purpose of this policy is to set forth the process for conducting background investigations for applicants and employees of Southwest Tennessee Community College (“Southwest” or “the College”).

Policy

I. Introduction

1. This policy is consistent with our goal of ensuring a safe community for students, employees, and guests.
2. Southwest reserves the right to conduct background investigations on employees during the term of their employment for criminal offense investigations, sexual harassment investigations, and any other legitimate reason.
3. Nationwide background checks will be obtained. To the extent that other options are available, the type and extent of each background investigation will be determined by the nature of the position to be filled or the purpose for obtaining the information.
4. An employee of the Office of People and Culture will process background investigation orders, receive results, and communicate results to the applicant or employee, when appropriate. The Office of People and Culture employees may contact the Tennessee Board of Regents’ (TBR) Office of the General Counsel for assistance.

II. Background Checks for Applicants

Background checks of applicants recommended for employment will be conducted on positions that include, but are not limited to, those that have access to money, security-sensitive areas, and confidential information, as well as positions that have the capability to create, delete, or alter records.

III. Background Checks for Current Employees

If it is determined that a background check should occur for a current employee to ensure that qualified individuals are selected or retained, the Office of People and Culture may request a background check. Some reasons to conduct a check include, but are not limited to, financial matters, criminal offenses, motor vehicle records, military records, social security number verification, confirmation of credentials, education verification, employment history, and reference checks.

IV. Notification

Individuals subject to a background check will be made aware of this practice at the earliest possible stage in the process. If appointment to or continued employment in a specified position is contingent upon an acceptable background check, a written offer of employment will provide notice of this contingency.

V. Forms and Procedure

1. The Office of People and Culture will ensure that a Disclosure and Authorization Form required by the Fair Credit Reporting Act (FCRA), whether the form attached below or a different version, is completed before a background check is conducted. If an applicant or employee refuses to sign the form, no further consideration will be given to them for the position. The third-party vendor conducting the background check is required to provide forms deemed necessary by the vendor to be used in the process.
2. Designated People and Culture personnel will review and evaluate the results of background checks.
3. If a background check contains information upon which it is determined that an applicant or employee does not possess the qualifications or characteristics necessary to perform the duties of the position most effectively or would not be the best applicant to serve the College in the position, an offer of employment, promotion, reclassification, or transfer should not be made.

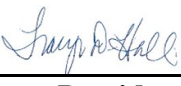
VI. Disqualification of Applicants or Employees

1. If it appears to the People and Culture representative that an applicant or employee is a questionable risk for hire, promotion, reclassification, transfer, continued employment, etc., the leader of the Office of People and Culture will discuss the information with TBR's Office of the General Counsel to ensure that the decision is fair and legally sound.
2. Detention or arrest without a conviction does not constitute valid grounds for employment decisions and cannot play a part in the decision-making process. Only criminal convictions or pleas of nolo contendere will be considered in determining suitability. In determining suitability where there is a record of criminal conviction, consideration must be given to such issues as the specific duties of the position, number of offenses, circumstances of each, how long ago the conviction occurred, whether the circumstances arose out of an employment situation, and the accuracy of the explanation on the application.

3. If adverse action is to be taken based in whole or in part on the information obtained from the background check, additional provisions of the FCRA must be followed. Prior to taking adverse action, The Office of People and Culture will provide the applicant or employee with a copy of the background check report, along with a summary of rights. After the adverse action is taken, the individual will be given an adverse action notice.

VII. Retention of Results

Background check results on individuals who become employees should be kept in the employee's personnel file. Background checks on individuals who are not placed in the position should be kept with the application materials.

Source of Policy: <u>TBR</u>	Responsible Administrator: <u>VP of People and Culture</u>
Related Policy: <u>5:01:00:00/0; 5:01:00:10/24</u>	TBR Guideline Reference: <u>SO-BF</u>
Approved: <u></u> President	Date: <u>June 2, 2025</u>

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INFORMATION FOR PROCESSING OF BACKGROUND SCREEN REPORTS ONLY
(to be used for no other purposes) (page 2 of 2)

Full Name _____

Social Security #: _____ - _____ - _____

Date of Birth: ____ / ____ / ____

Current Residence Address: _____
(Number & Street) City State Zip

List all Residence Addresses in Past Seven Years (attach additional sheets if necessary)

(Date from – to) Number & Street City State Zip

(Date from – to) Number & Street City State Zip

(Date from – to) Number & Street City State Zip

(Date from – to) (Number & Street) City State Zip

Driver's License Number _____ State Issued _____

PLEASE SUPPLY THE FOLLOWING SCHOOL INFORMATION (HIGHEST DEGREE EARNED): N/A ☐

SCHOOL: _____ CITY/STATE: _____

DEGREE: _____ DEGREE STATUS: _____

DATES ATTENDED: _____
(Start Month / Year) (End Month / Year)