

Background Check Policy

I. POLICY STATEMENT

Dartmouth College (“Dartmouth”) is committed to ensuring that its academic and research missions are supported by qualified staff members and that its community is as safe as possible. Dartmouth is also committed to taking meaningful actions to protect its finances, property, and other assets. This policy sets forth Dartmouth’s procedures for conducting pre-employment background checks for all staff positions.

II. STATEMENT ABOUT BACKGROUND CHECKS AND DISCRIMINATION

Information discovered through the background check process will be used solely for the purpose of evaluating a finalist’s suitability for employment. It will not be used to discriminate against a finalist on the basis of race, color, religion/creed, sex/gender, age, sexual orientation, gender identity/expression, national origin, genetic information, marital/familial status, disability, military, or veteran status.

III. DEFINITIONS AND RESPONSIBLE DEPARTMENTS

- A. Finalist: The applicant selected by the hiring department for a staff position at Dartmouth, who:
 - (1) is not currently employed by Dartmouth, or
 - (2) is currently employed by Dartmouth, who has either:
 - (a) not undergone the background check process, or
 - (b) not undergone the additional background checks required by the new position.
- B. Background check: Checking any or all parts of the finalist’s employment references and employment, educational, criminal, sex and violent offender, credit, and license histories. The nature and scope of the background check will be determined by Dartmouth and will be appropriate to the position.
- C. Background check vendor: A company engaged by Dartmouth to conduct background checks. Whenever a background check vendor conducts all or any portion of a background check, Dartmouth will require the vendor to comply with state and federal law, including the requirements of the Fair Credit Reporting Act (“FCRA”).

- D. Criminal history check: Verifying that the finalist does not have any felony or misdemeanor convictions or pleas which are acknowledgements of responsibility (e.g., plea of no contest or *nolo contendere*) which have not been annulled or sealed. This verification will include a search of convictions or pleas which are acknowledgements of responsibility during the seven (7) years immediately preceding the finalist's application to Dartmouth. Criminal convictions or pleas will not automatically exclude a finalist from consideration for employment unless they are job-related and the decision not to hire is consistent with business necessity. [To be completed by The Office of Human Resources or by a background check vendor.]
- E. Sex and violent offender check: Verifying with state and federal registries that the finalist does not have any convictions of certain sex or violent crimes. [To be completed by The Office of Human Resources or by a background check vendor.]
- F. Educational history check: Verifying that the finalist possesses all of the relevant educational credentials cited by him/her or listed on/in the application, resume, or cover letter. [To be completed by The Office of Human Resources or by a background check vendor.]
- G. Employment history check: Verifying that the finalist worked in the positions cited by him/her or listed on/in the application, resume, or cover letter. This verification will include dates of employment and the reasons for leaving each position for at least the seven (7) years immediately preceding the finalist's application to Dartmouth. [To be completed by The Office of Human Resources or by a background check vendor.]
- H. Employment reference check: Ensuring that the hiring department receives positive feedback about the finalist's character and performance at work from persons familiar with both. [To be completed by the hiring department.]
- I. License history check: Verifying, if required by the position, that the finalist possesses all the licenses cited by him/her or listed on/in the application, resume, or cover letter. Verification includes establishing the current status of the relevant licenses. This includes checking, for example, any motor vehicle driver's license required by the position. [To be completed by The Office of Human Resources or by a background check vendor.]
- J. Credit history check: Checking the credit history of the finalist, if required by the position. [To be completed by The Office of Human Resources or by a background check vendor.]

IV. PROCEDURES

- A. Consent to Conduct Background Checks and Confidentiality

Finalists will be informed during the pre-employment process that an offer is subject to completion of background checks with results acceptable to Dartmouth, as appropriate to each position and as stated in the position description. Prior to conducting the background check, a signed, written consent will be obtained from the finalist. Refusal by the finalist to authorize the background check will make him/her ineligible for employment.

The information obtained through background checks is confidential and will be shared only with individuals with an essential business need to know. Records of the background check will be maintained in the Office of Human Resources in a file that is separate from the personnel file.

B. Screening of Finalists

An offer of employment is contingent upon the successful completion of a background check. Generally, employment in the position should not begin until Dartmouth has received and reviewed the results of the background checks. Exceptions may be made at the hiring department's request with the approval of the Office of Human Resources.

The finalist for all staff positions at Dartmouth is subject to background checks of employment references and employment, educational, criminal, and sex and violent offender histories. Additional background checks may apply to finalists for certain positions which could result in the risk of research loss, or physical, financial, or other harm. Some of the criteria for identifying a position as possibly requiring additional background checks include, but are not limited to:

1. Direct responsibility for the care, safety, and/or security of individuals;
2. Direct responsibility for handling or managing money or credit information;
3. Responsibility for operating vehicles or machinery that could cause injury or accidental death; or
4. A requirement for a certificate, professional license, or accreditation.

These additional background checks may include a:

1. License history check; and/or
2. Credit history check.

C. Background Checks of Current Staff Members and Duty to Report Convictions/Pleas

Background checks will be required of current Dartmouth staff members who are finalists for a position if they have not undergone the background check process, or if they have not undergone the additional background checks required by the new position. A current employee who has already undergone a background check in the two (2) years preceding his/her application for transfer or promotion, will not be required to undergo a new background check unless he/she is applying for a position with substantially different responsibilities and the position requires

additional background checks, such as a license or credit check. A background check will not be required for changes in shift or other interdepartmental lateral transfers.

Employees have an ongoing responsibility, during their employment, to make Dartmouth aware of any felony or misdemeanor convictions or pleas which are acknowledgements of responsibility. Any convictions or pleas should be reported to the employee's Human Resources Consultant.

D. Evaluation of Background Check Results

Once the background checks are completed, Dartmouth will make a hiring decision based upon the information gathered. If negative information is obtained through the background check process, Dartmouth will determine whether the information is job-related and if the decision not to hire is consistent with business necessity. In making this determination, Dartmouth will consider, among all other relevant information, the following:

1. For all criminal convictions or pleas, the nature and seriousness of the offense(s), the number and type of offense(s), the amount of time that has elapsed since the offense(s), whether such offense(s) are related to the responsibilities of the position, and the accuracy and completeness of the information provided by the finalist during the application process.
2. For all other negative information, the nature and seriousness of the activities or data obtained, the amount of time that has elapsed since the activities or data, whether the information is related to the responsibilities of the position, and the accuracy and completeness of the information provided by the finalist during the application process.

E. Adverse Action Taken Due To Background Check Results

If adverse action is probable based in whole or in part on the results of a background check, the finalist will receive a copy of the background check report, a Pre-Adverse Action Notice (Attachment 1), and a document summarizing his/her rights under the FCRA. Finalists will be permitted to provide responsive information regarding their criminal history, including evidence that they did not commit the offense (in the case of a misidentification), evidence of rehabilitation or character, the length of time since the last criminal conviction, and other extenuating circumstances. The finalist will be given five (5) business days to provide this information so as not to halt the recruitment process for the position. Extensions may be provided to the finalist at the sole discretion of Dartmouth.

If adverse action is taken against the finalist in whole or in part based upon the results of a background check, the finalist will receive an Adverse Action Notice (Attachment 2), indicating that no further action will be taken and the offer will be rescinded. The finalist will also receive a document summarizing his/her rights under the FCRA.

F. Exceptions to the Background Check Policy

Exceptions to this policy may be made at the discretion of Dartmouth through the Vice President of Human Resources or his/her designee. Categories of workers that are excluded from this policy include faculty (including research associates not hired through the Office of Human Resources), temporary employees not directly paid by Dartmouth, student employees, unpaid interns, and volunteers, unless a background check is required by state or federal law or accrediting body.

This policy is intended as a guideline to assist in the consistent application of Dartmouth College policies and programs for employees. This policy does not create a contract, express or implied, with any employee. Dartmouth College reserves the right to modify this policy in whole or in part, at any time, in its sole discretion.

APPROVED BY:

Vice President of Human Resources

Executive Vice President and Chief Financial Officer