

Title: Fingerprinting/Background Investigation for Volunteers and Employees of Cecil College

- **Initial Action:** New
 - **Board Agenda:** 19-064
 - **Last Revised:**
 - **Policy:** 9/24/2019
 - **Procedure:** 9/24/2019
 - **Last Reviewed:**
 - **Effective:** 10/28/2019
 - **Next Review:** 9/2022
 - **Responsibility:** Human Resources
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I. Policy

Cecil College is committed to maintaining an environment in which College students, personnel, visitors, interests, and property are safe, secure, and productive. All employees (prospective and current), as a condition of employment, and all volunteers, as a prerequisite to volunteering for the College, are required to be fingerprinted.

A background check will be required when an assignment involves services that include interaction with minors, travel of any kind or use of a College or personal vehicle on College business, services that involve access to minors or vulnerable populations, repetitive or on-going services for a department or unit, such as mentoring, any person serving as a volunteer athletic coach, and volunteers who serve for longer than 5 days (or 40 hours) in a calendar year. The College reserves the right to require fingerprinting of individuals below the age of 18.

As appropriate based on the employment and/or volunteer duties, the College will conduct a background check regarding matters such as criminal history, birth records, social security number validation and/or verification, verification of education, verification of employment, current and previous residences, and motor vehicle administration driving records.

The College may deny employment, continued employment, and/or volunteer opportunities, after an individualized assessment, based on a person's criminal history, status as a registered sex offender, and other information learned during a background check. A criminal record does not necessarily preclude an individual from employment or volunteering. The College will consider the following non-exclusive factors when making a decision: the nature of the information, the relation of such information to the position for which the individual is being hired or for which the individual is volunteering, the time since the event(s) occurred, the individual's conduct, employment history, and/or rehabilitation efforts, and other relevant factors.

II. Procedure

Fingerprinting & Criminal Justice Information System (CJIS) Record History: A criminal background check will be completed by the Maryland Department of Public Safety and Correctional Services of all criminal history information regarding an individual maintained by the CJIS Central Repository, consistent with the requirements of the Maryland Annotated Code (Md. Code Ann.), Criminal Procedure Article, Sections 10-201 et seq. The College will not disseminate information from CJIS except in accordance with applicable federal laws and regulations.

Results of fingerprint background checks are sent directly to Human Resources. All fingerprint results are reviewed by the Human Resources Department when determining eligibility for employment.

Notice is given to individuals, in writing, when a FBI criminal history record exists if used to make a determination of the applicant's suitability for employment, volunteer opportunity, license, or other benefit. The Human Resources department will provide a copy of the FBI criminal history record to the applicant for review. The individual may contact the FBI in order to correct or complete the record. The applicant/employee/volunteer may appeal a decision in writing to the Executive Director of Human Resources within ten (10) business days. The appeal should include information you want the College to consider when deciding whether to uphold the decision. The President or designee will make a final determination regarding eligibility for employment and volunteer service.

Background Checks Involving Third Party Vendors: If the College might reject an individual for employment or volunteer service based on a background check performed by a third party, the College will provide notice to the individual that the individual might be rejected based on the results of a background check. Along with this notice, the College will advise the applicant/volunteer of the decision, along with name and address of the consumer reporting agency making the report and notification of the applicant's/volunteer's right to request the reasons for the denial. The College will also provide the individual with a copy of the consumer report that was obtained and relied upon to make the decision and a copy of the Fair Credit Reporting Act's *A Summary of Your Rights Under the Fair Credit Reporting Act*. The College will provide additional notice to the individual if a decision not to hire the applicant or not permit the volunteer to serve is made based on information in the background report. The applicant has seven (7) days to dispute and correct any inaccurate information in the background check report. If the College denies employment because of other sources of information (e.g. interviews with other individuals about a job applicant), it will, upon written request by the job applicant within 60 days after learning of the job denial, disclose the nature of the information that resulted in the College's decision to deny employment. The College will provide the disclosure within 30 days after receiving the request.