

## **BUCKNELL BACKGROUND SCREENING POLICY**

---

### **PURPOSE:**

Bucknell has adopted the following policy regarding post offer background screening for all faculty, staff, and courtesy appointments at the University. This policy details the process of verifying credentials, criminal history, credit status and other information related to employment decisions.

The background screening(s) required will depend upon the position that the candidate or employee holds at the University. Those in positions with direct contact with minors will be required to successfully complete additional background screening as required by the Pennsylvania Child Protective Services Law (PA CPSL) upon hire and every five years thereafter.

### **DEFINITIONS:**

- 1. For the purpose of this policy, “courtesy appointments” refer to volunteers, Faculty Associates (including appropriate modifiers such as Distinguished, Clinical or Research), Distinguished Visiting Professor or Visiting Fellow**
- 2. For the purposes of this policy “employment” also refers to part-time, casual, full-time, and courtesy agreements.**

### **POLICY:**

1. At a minimum, all employees hired on or after January 1, 2016 are required to complete a Federal Bureau of Investigations criminal history check (“FBI”) at the time of hire. Additional checks may be required and include (but not limited to): Pennsylvania State Police (“PSP”) criminal history check; PA Child Abuse screening as completed through Pennsylvania’s Department of Human Services (“PA Child Abuse” or “DHS”) check confirming whether the individual is named in the statewide database as the alleged perpetrator in a pending child abuse investigation or as the perpetrator of a founded or indicated report of such abuse; employment and education verification; motor vehicle driving history. The existence of a criminal history or other adverse background check finding does not necessarily preclude beginning or continuing employment with Bucknell University.
2. In addition to the FBI Federal criminal history check, all new faculty shall have post-offer education and employment verifications completed as a condition of employment with Bucknell University.
3. Results from the Pennsylvania State Police, PA Child Abuse FBI background screenings are not sent to the University. It is the employee’s responsibility to share the results with HR upon receipt.
4. Individuals who have already completed the screening required for their position can provide a copy of the PSP, PA Child Abuse and/or FBI screening result from the previous employer. Results are valid for five years from the screening date. Results marked for volunteer purposes cannot be accepted for paid employment purposes.
5. Screening results are reviewed by Human Resources. In the event there is activity that could impact an employment or hiring decision, the results are reviewed on a case by case basis with Human Resources and the individual. The purpose of the meeting will include, confirming the accuracy of the activity reported, providing the individual an opportunity to provide explanatory context for the activity, and to discuss next steps. Human Resources will inform the General Counsel, OMG level division leader and the individual of adverse employment decisions based upon background screening results.
6. Information pertaining to background screening results is kept confidential.

7. For those screenings requiring advanced payment (PSP, DHS, FBI), Bucknell will reimburse for the cost of the required background screenings. Bucknell will not reimburse for ancillary incurred expenses such as mileage or postage. The University will provide up to 1.5 (regular) hours of paid release time to complete the FBI fingerprinting process if needed. Employees should work with their immediate supervisor to make arrangements as necessary.

8. Background screenings are based on the responsibilities of each position. As such, current employees may need to get screenings even if they were hired prior to January 1, 2016. Examples include but are not limited to participation with a camp; a change to your employee or volunteer duties and responsibilities; a dual-enrolled minor in one or more of the courses led by the individual; a job shadow experience; and a new employment or affiliation agreement. In these circumstances, individuals may receive notification from Human Resources about the need for screening.

9. Violations of University policies, including providing false or misleading information used for any of the above background checks, will be handled in accordance with applicable University policies and procedures; which may include disciplinary action up to and including termination from the University.

10. Bucknell uses third-party vendors to complete screenings including but not limited to MVR, drug screen, employment, education, credit, and checks in foreign jurisdictions. If any of these screenings are required for the position the individual will be notified by Human Resources.

11. If PA CPSL background screenings are required the individual will be notified at the time of hire for new employees or at the time the screening will be required for current employees. The following are required to be performed for the PA CPSL background screening: Pennsylvania Child Abuse History Clearance, Pennsylvania State Police Criminal Record Checks, Federal Bureau of Investigations (FBI) Criminal History Background Check.

12. New employees in positions requiring PA CPSL background checks will not be able to begin employment until all checks are submitted to and reviewed by Human Resources.

13. Employees requiring PA CPSL background screenings must obtain new background clearances every five years.

14. For PA CPSL positions, the basis for disqualification are:

- A. The employee or candidate is named in the Statewide DHS child abuse database as the perpetrator of a founded report committed within the five-year period immediately preceding the check.
- B. The employee or candidate has been convicted of a felony offense under The Controlled Substance, Drug, Device and Cosmetic Act within the five-year period immediately preceding the check.
- C. The employee or candidate has been convicted of any of the following Pennsylvania state-law offenses or an equivalent crime under Federal law or the law of another state, without regard to the five-year limitation:
  - a. Criminal homicide;
  - b. Aggravated assault;
  - c. Stalking;
  - d. Kidnapping;
  - e. Unlawful restraint;
  - f. Rape;
  - g. Statutory sexual assault;
  - h. Aggravated indecent assault;
  - i. Indecent assault;
  - j. Indecent exposure;
  - k. Incest;
  - l. Concealing the death of a child;
  - m. Endangering welfare of children;

- n. Dealing in infant children;
- o. Felony prostitution;
- p. Obscene and sexual materials and performances (as it relates to disseminating to minors);
- q. Corruption of minors;
- r. Sexual abuse of children; or
- s. The attempt, solicitation or conspiracy to commit any of the above.

D. Additionally, the PA CPSL requires interim reporting by employees who are arrested for or convicted of an offense that would constitute grounds for denying employment, or are named as a perpetrator in a founded or indicated report of child abuse, please notify the Executive Assistant in Human Resources in writing no later than 72 hours thereafter. Failure to do so constitutes a misdemeanor crime of the third degree and, may subject the employee to discipline, up to and including termination, according to Pennsylvania's CPSL. Bucknell will remind employees of this reporting obligation when it sends notice of their background check deadline.

Effective Date: 06/04/2021