1 General Information.

1.1 Scope: This policy provides for/governs background checks related to employees and students.


1.3 Passage Date:

1.4 Effective Date:

1.5 Controlling over: Marshall University and Marshall Community and Technical College.

1.6 History:

1.6.1 This is a new policy.

2 Policy.

2.1 Marshall University (hereinafter the University) and Marshall Community and Technical College (hereinafter the College) (hereinafter the institutions) will perform background checks on prospective or current employees or prospective or current students within the limitations set forth in this policy.

2.2 It is the policy of the institutions to perform background checks with regard to employment (1) when an employee has/would have financial responsibility that might create a situation where the institutions’ financial resources could be diverted or stolen; (2) when an employee works with/would work with minor children other than the institutions’ students; (3) when it is necessary to conduct a background check on an employee as part of a certification for the employee to teach, conduct research, or perform public service at or for a third-party entity when such entity has established a requirement for such certification; (4) when an issue or allegation exists with regard to a present or prospective employee’s educational achievements, work experience, possible criminal records, or other background element deemed important; and (5) in order to verify stated credentials (e.g. educational background).

2.3 It is the policy of the institutions to perform background checks on students when participation in an academic or research program warrants and/or when it is required in order to certify students to work in third-party locations or for third-party organizations that require such background checks as a condition for obtaining clearance to gain access to or perform the work at the third-party location.

2.4 The chief human resources officer is responsible for requesting, reviewing, and reporting the results of background checks related to classified and/or nonclassified employees and temporary and/or casual employees of the institutions. The Senior Vice President, Academic Affairs, and Provost; Vice President for Health Sciences; and/or Dean, Academic Affairs, Marshall Community & Technical College are responsible for requesting, reviewing, and reporting the results of background checks related to students and/or faculty at their respective institutions.

2.5 The results from background checks are confidential information. Those obtaining, reviewing, and reporting the results of background checks will not divulge or circulate to others the actual documents received or generated in connection with the conduct of a background check but will
rather summarize and characterize the results of the background checks for those who made the request or who have a legitimate need to know the information. The chief human resources officer shall develop procedures for access, retention, and management of background check results and summaries and include them as part of the procedures described in section 2.8. Those procedures shall be distributed to the individuals listed in section 2.4.

2.6 Background checks will be requested from (1) reputable commercial firm(s) that the institutions have determined to do business with and that provide such checks; (2) the Marshall University Public Safety department; other law enforcement agencies; and/or (3) from other entities and organizations that may provide such checks. The chief human resources officer shall recommend one or more commercial firm(s) for purposes of conducting background checks consistent with bidding and purchasing requirements. The institutions shall reserve the right to change firms if they determine it to be in their best interests to do so.

2.7 On and after the effective date of this policy, the institutions are required to notify any applicants for employment or applicants for admission as students of the existence of the policy, the situations in which background checks may be conducted, and the potential consequences for employment or academic participation of negative results from background checks.

2.8 The chief human resources officer is responsible for developing, implementing, and administering sufficient procedures to effectuate the provisions of this policy. Such procedures shall be broken down into a component specifically related to employees and a component specifically related to students.