

**ELIZABETH CITY STATE UNIVERSITY**  
**Criminal Background Check Policy**

**Preamble**

In order to provide a safe and secure environment for all employees, students and visitors, Elizabeth City State University (ECSU) shall employ individuals who contribute to the safety and security of the campus workforce environment. Criminal background checks will aid in assisting ECSU in making sound employment decisions that meet this critical need. To the extent that any provision of this policy conflicts with the University of North Carolina (UNC) policy, the UNC version shall control.

**1. Policy**

It is the policy of ECSU to conduct criminal background checks for all final candidates (new hires) for all SHRA, EHRA Non-Faculty, EHRA Faculty full-time and part-time positions and temporary employees. Background checks will be considered valid for one year from the time of completion. It is also the policy of ECSU to conduct credit checks and motor vehicle checks where financial issues or driving responsibilities are a part of an employee's job requirements. ECSU will ensure that all background checks are conducted in compliance with applicable federal and state statutes and University policy, including but not limited to the Fair Credit Reporting Act (FCRA) and Title VII of the Civil Rights Act.

**2. Scope and Limitations**

ECSU shall seek information on convictions, all pleas that are acknowledgements of responsibility and all pending criminal actions. Arrests or detention orders that do not result in conviction pleas shall not be considered.

- A. The existence of a conviction or plea is not an automatic exclusion from employment. Where an applicant does have a conviction or plea, the following factors will assist the University in determining suitability for employment: the nature of the crime, the circumstances surrounding the crime, the existence, number and type of other criminal convictions or pleas, the time that has elapsed since conviction, the actions and activities of the individual since the crime, the rehabilitation record of the applicant, any related information and the truthfulness of the applicant in disclosing the conviction or plea.
- B. The criminal background check shall only be used for evaluating the applicant for employment; it shall not be used to discriminate on the basis of race, color, national origin, religion, sex, disability or age.

- C. ECSU reserves the right to conduct a criminal background check or other background review for a current employee if circumstances indicate criminal activity by this employee may have occurred. This action will be approved by the senior administrator of the division or work unit.
- D. In most cases, the criminal background check shall be conducted prior to employment. If circumstances prevent this pre-screening, the employment contract or documentation must specify that continued employment is conditional upon an acceptable background check and that the applicant waives any right to challenge this requirement. In such cases, the check must be done as early as is feasible.
- E. As part of the screening process, the applicant shall be asked to provide information about his or her criminal record. Having this information is critical and a failure by the applicant to provide this data or to provide it accurately will result in a rejection of the candidacy of this individual (or a withdrawal of an offer if the applicant was hired subject to the background check). All material collected pursuant to this policy shall be held confidentially and securely and shall be maintained in a separate file from the regular files maintained for employees and applicants.