Summary
The University Committee on Faculty Affairs (UCFA) began discussions during the 2014-2015 academic year regarding the Criminal Background Checks policy for faculty, academic staff, and executive management. The motivation for such discussions was to review gaps in the current policy such as: (1) whether volunteer faculty and academic staff who have an unpaid appointment at MSU should fall under the provisions of the policy, and (2) whether a mechanism for an update on one’s criminal status is needed throughout the course of one’s employment.

Background
The current policy was implemented in January, 2010 and requires a background check in the hiring process for all new paid faculty, academic staff, and executive management appointments. The criminal background check includes a verification of social security number, degree verification, and an examination of county, state and federal criminal records, the national sex offender registry, and federal debarment lists. In addition, new tenure, continuing system, and executive management hires are required to disclose relevant facts needed to give the University a full and fair understanding of any past conduct that could adversely affect their ability to fulfill successfully their responsibilities as an employee.

Recommendations
In MSU’s ongoing commitment to provide a safe environment for its students, faculty, and staff in support of its educational mission, the UCFA proposed the following policy revision recommendations:

1) Extend the policy to require volunteer (i.e. unpaid) faculty and academic staff members who hold appointments at MSU to undergo a criminal background check. To reduce administrative burden, the University may rely on the background checks conducted by hospitals for clinical faculty as long as they are as strenuous as the University’s.

2) Require all MSU appointees (paid and unpaid) to disclose to Academic Human Resources within 72 hours or at the earliest possible opportunity all relevant events that could adversely affect their ability to fulfill successfully their responsibilities as an employee of MSU, including:
   - professional misconduct or sanctions
   - any civil rights violation that the employee admitted or was determined by a court or other adjudicative process to have committed
   - any felony crime for which the employee was arrested or any serious crime for which the employee was convicted or pled “no contest”

   Engagement in any such conduct will not, in and of itself, terminate the appointment at the University. But failure to disclose such information, or any misrepresentation made in connection with the disclosure, could be grounds for termination.

3) Afford the University the right to conduct a repeat background check when it has reasonable suspicion that the original background check was incomplete or inaccurate or the University receives credible information to suggest that the employee has failed to provide updated information about a felony arrest or criminal conviction as required by policy.