

CHANCELLOR'S PROCEDURES FOR POLICY 623.01: Background Checks

DEFINITIONS

For purposes of this policy and procedure, the following definitions are utilized:

Alabama Resident –a person with a current Alabama address and a current/unexpired Alabama issued State ID (such as a driver's license or State of Alabama issued ID Card); or an **Exempted State Resident**.

Exempted State Resident – The ACCS Safety and Security Office has the authority to grant certain state residents an exemption from a more detailed fingerprint background check in some cases where the state resident's court information becomes available electronically, and those individuals will be treated as Alabama Residents for purposes of this rule.

New Hire: An employee hired in any position with the College on or after July 1, 2024, to include current employees hired into a different position. Examples of a New Hire include but are not limited to: a new adjunct, an internal candidate who moves to a different position (but not transferred, reorganized, or appointed), a new temporary employee, a new part-time employee, a new work-study student employee, a new grant employee, a new employee hired on Salary Schedule H, E, D, C, B, or L, or a new contract employee.

New Volunteer: a person the College seeks to allow to volunteer at the College on or after July 1, 2024, regardless of whether the person volunteers at another ACCS institution.

Previous Hire: a current employee at the College who has not changed position or separated from the College since being hired in some capacity prior to July 1, 2024.

Previous Volunteer: a current volunteer at the College who began volunteering in the same position at the College before July 1, 2024.

GENERAL POLICY

Employment and volunteer service is and shall remain contingent upon an acceptable background check as determined by the College President or his designee in accordance with ACCS Policy 623.01.

By or before July 1, 2024, every **New Hire** or **New Volunteer** at the College shall undergo a background check, unless exempted under this policy.

New Hires or **New Volunteers**, at the College, who:

- Work/Volunteer in the IT department, or
- Work/Volunteer in the Finance department, or
- Work/Volunteer in the Law Enforcement department, or

- Work at Salary Schedule B or above, or
- Do not meet the definition of an **Alabama Resident/Exempted State Resident**, or
- Have unescorted access to criminal justice records

shall also be subject to a more detailed fingerprint-based background check prior to employment/volunteering.

Individuals for whom background checks are to be completed will be required to sign an ACCS-provided standard Consent, Release, and/or Authorization Form (hard copy or electronic form in NeoEd).

Further, any **New Hire** or **New Volunteer** *under the age of 18* shall require parental/guardian consent on the Consent, Release, and/or Authorization Form for a background check.

EXEMPTIONS FROM BACKGROUND CHECKS

Previous Hires and **Previous Volunteers** (as defined above) are exempted from background checks at the College under this policy, unless the college has reasonable suspicion that an employee or volunteer has been convicted of a felony or a crime involving moral turpitude. However, this does not preclude **Previous Hires** specifically from J. F. Ingram State Technical College from additional background checks required by the Alabama Department of Correction.

MINIMUM FIVE-YEAR BACKGROUND CHECKS

The Alabama Department of Corrections requires J. F. Ingram State Technical College employees to have background checks run at least once every five years. As a result, J. F. Ingram State Technical College intends to run background checks on employees, whether New Hires or Previous Hires, at least once every five years.

CONVICTION OF FELONY OR CRIME INVOLVING MORAL TURPITUDE

Employees or Volunteers, whether new or previous, convicted of a felony or crime involving moral turpitude will not be eligible for new or continued employment or volunteering except with the Chancellor's approval. Chancellor's approval must be obtained through written recommendation from the President that he/she is suitable for employment or volunteering, despite the conviction. Factors to be considered in determining whether the individual is suitable include, but are not limited to:

- a. The proximity or remoteness in time of the conduct,
- b. The risk of harm to persons or property of the institution,
- c. The nature of the crime and likelihood of recurrence,
- d. The nature of the job,
- e. Any extenuating circumstances.

Within five (5) calendar days, any employee or volunteer, whether new or previous, convicted of a felony or a crime involving moral turpitude must report the conviction to the President. An unreported conviction will be subject to disciplinary measures for failure to report, up to and including termination.

REASONABLE SUSPICION OF CONVICTION OF FELONY OR CRIME INVOLVING MORAL TURPITUDE

A background check may be conducted on any person if the institution has reasonable suspicion that an employee or volunteer has been convicted of a felony or any crime involving moral turpitude.

ADJUNCTS AND OTHER TEMPORARY EMPLOYEES

Adjuncts and/or other temporary employees who may not receive consistent or routine pay or who may be on hiatus from campus for months at a time are not required to have background checks every time they return, but they are subject to annual or return background checks as determined by the College.

REPORTING PROCESS

Background findings that may affect the ability to be hired will be discussed by the ACCS Safety and Security Office with the applicant who will have an option to appeal the finding. Once that process is complete, the President of the College will be notified. Once the President decides whether the applicant will be considered for hiring, the College's Human Resources Office will be notified.