



# CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS ADMINISTRATIVE POLICY MANUAL

**Finance & Administration**  
**Approved By:**

**Policy Number:**  
**Effective Date:**  
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## Policy on Background Investigations

### PURPOSE:

To protect the campus community and its assets, the University needs to ensure that individuals assigned to certain campus positions (cash handlers, police officers, child care workers, and data managers with access to personal information, to name a few) have no history of criminal behavior relevant to their employment. Although this is no guarantee against criminal acts, it does reduce the likelihood of crime, and may reduce the campus's liability in the event a crime occurs. It also helps protect hiring departments from the possibility of lawsuits, which exact a heavy cost in time and morale, and from the exposure to potential embezzlement.

The campus recognizes that its need to investigate an employee's history must be balanced with the need to protect the employee's privacy. University policy and state and federal laws recognize the individual's right to privacy and prohibit campus employees and others from seeking, using, or disclosing personal information except within the scope of their assigned duties.

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### BACKGROUND:

The President has the authority to establish campus requirements for background checks for applicants and university employees within the guidelines specified within CSU Chancellor's Office Coded Memorandum HR 2005-10, as appropriate to help protect the campus community and its assets.

Background checks, which may include fingerprinting, checks of employment records, social security records, workers' compensation claims, criminal records, civil records, credit reports, motor vehicle records, and sex offender registries, may be initiated as part of the selection process. The need to investigate an applicant or employee must always be balanced with the need to protect the privacy of the applicant or employee.

### POLICY:

#### Accountability:

The Associate Vice President Human Resources Programs

#### Applicability:

This policy applies to all California State University Channel Islands (CSUCI) prospective employees and current employees seeking transfer or promotional opportunities.



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## Policy on Background Investigations

### Definition(s):

**Applicants** are current or prospective employees who submit information to be considered for positions at CSUCI, including individuals not currently employed by CSUCI, and current CSUCI employees seeking promotional or transfer opportunities to different positions.

**Background Check** means the process of gathering and reviewing information, which may include criminal history records, financial history records, motor vehicle records of specified applicants or employees seeking employment with the university in regular full-time, part-time or temporary positions, as well as student positions with specific job duties and responsibilities.

**Conviction** is generally defined as a final verdict, a guilty plea or a Nolo Contendere ("No Contest") plea.

**Criminal History Record** means a written record or information furnished by a criminal justice agency or third party vendor in the business of obtaining and providing criminal history records relating to an individual's criminal convictions. A criminal history record does not include an individual's conviction records that have been sealed by court order. Criminal records include in-state, out-of-state and international criminal history, including misdemeanor and felony convictions.

**Criminal History Background Check** means the process of gathering and reviewing criminal history records of specified applicants seeking employment with the university in regular full-time, part-time or temporary positions, as well as student positions with specific job duties and responsibilities.

**Education Verification** means verifying dates of attendance, degree program, major, and graduation date at specific educational institutions.

**Financial History Record** means a written record or information furnished by any court of civil law, credit reporting agency (credit report), or a third party vendor in the business of obtaining and providing credit reports for the purpose of evaluating applicants for employment.

**Financial History Background Check** means the process of gathering and reviewing financial history records of selected applicant(s) seeking employment, or certain promotional or transfer opportunities, with the university in regular full-time, part-time or temporary positions, as well as student positions with specific job duties and responsibilities.



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**Motor Vehicle Record** (Driver's License Records) includes motor vehicle records from any state where the applicant has resided.

**Promotional Opportunities** are job advancement, title enhancement or pay increase actions or processes open to current CSUCI employees. For classified staff positions, a promotional opportunity results in a promotion, i.e., appointment to a class with a higher pay grade maximum than their current or previous position. For faculty and professional exempt positions, a promotional opportunity occurs when the faculty member or professional exempt employee accepts a higher-level job title (e.g. instructor to sr. instructor, auditor to sr. auditor) or is promoted within a job title to another department at the same or higher salary, (e.g. professional research assistant or director transfer to another department). Promotional opportunities do not include promotions that are built into a current position, e.g., academic progression from assistant professor to associate professor or entry-level classified staff positions that normally progress to the next classification level. Background investigations are not required in such cases.

**Reference Check** means the process of contacting individuals directly or through a third party vendor, including current and former employers, companies, educational institutions, that may reasonably be relied upon to provide relevant information regarding an applicant's fitness for university employment.

**Regular Full-time or Part-time Position** means a faculty, officer, exempt professional or classified staff position of an ongoing nature and with continuing funding.

**Security-sensitive Position** includes those positions, as specified within the CSUCI Background Investigation Procedure, which require background screening of a particular level based on essential job responsibilities.

**Temporary Position** could be a faculty, administrator, or represented staff position of a short-term nature (e.g. six months, semester, academic year, etc.) that generally does not have continuing funding.

**Comment [RTC1]:** we have no "research faculty" nor anyone in the "instructor" category.

**Deleted:** research faculty, instructor, lecturer

**Comment [RTC2]:** All lecturers are "temporary faculty" under the Unit 3 CBA, and by definition, their positions are not "ongoing," but only for the contract period, so the last phrae would automatically exclude all lecturers from the defintion

**Text:**

CSUCI intends to maintain a safe and productive educational, and professional employment environment. Therefore, prospective CSUCI employees and current CSUCI employees seeking transfer or promotional opportunities (collectively referred to as "Applicants") to specified positions must



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## **Policy on Background Investigations**

consent to and pass a background investigation prior to any final appointment, hiring, transfer, or promotion relating to regular full-time, part-time and temporary non-student positions at CSUCI. Certain positions may be subject to a background check at the time of hire, transfer or promotion as a matter of law or due to the nature of the position. With respect to student applicants, this policy applies only to “security-sensitive” student positions as specified in CSUCI Background Investigation Procedure. All offers of appointment, employment, transfer, or promotion are contingent upon the selected applicant(s) passing any required background investigation(s). The type of background investigation varies by position and is intended to protect the assets, employees, and students of CSUCI.

CSUCI personnel employed or appointed prior to implementation of the initial Campus Background Investigation Procedure, will not be subject to retroactive background investigations except in the following circumstances:

1. When required by any state or federal law, regulation or rule;
2. When current employees apply for promotional or transfer opportunities and are subsequently hired into different CSUCI positions;
3. When position responsibilities change to include new duties that cause a position to be designated as security-sensitive as described in Section II below;
4. When employees are subject to motor vehicle driver history checks to insure that their licenses are current and/or without excessive violations;
5. When the appointing authority learns of a final conviction of a misdemeanor, felony or other offense of moral turpitude that adversely affects the ability to perform the job or has an adverse effect on the university if employment is continued; or
6. When required by Chancellor’s Office Executive Order or other directive, CSU Policy, or CSUCI Policy.

**EXHIBIT(S):** CSUCI Background Investigation Procedure (current draft)