

33.99.14.D1 Criminal History Background Checks



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Revised: July 31, 2013
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Rule Summary

Texas A&M University-Central Texas (A&M-Central Texas) is committed to providing a safe and secure environment for faculty, staff, students and visitors; protecting state property; and maintaining the high standards of this institution.

Rule

1. GENERAL

- 1.1 The A&M-Central Texas Office of Human Resources shall perform background checks of current employees and candidates for employment as provided in System Regulation 33.99.14, *Criminal History Background Information – Employees and Candidates for Employment*, and this rule.
- 1.2 The President has determined that all employment positions, including student, adjunct, part-time and temporary positions, at the university are security-sensitive positions.

2. PRE-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECK

- 2.1 All finalists for A&M-Central Texas positions shall be subject to a criminal history background check.
- 2.2 Any offers that may occur prior to the completion of the criminal history background check shall be conditional and contingent on an acceptable criminal background check.
- 2.3 Human Resources will obtain an electronic authorization form from all final candidates and new employees who have been extended a conditional offer of employment. The authorization form includes a notice that individuals will have the opportunity to request, receive, review and correct information collected using the authorization, as permitted by law. Individuals refusing to sign the authorization form for the background investigation will not be eligible for employment.

3. FALSIFICATION OR FAILURE TO DISCLOSE CRIMINAL HISTORY

3.1 The Office of Human Resources shall consult with the System Office of General Counsel before determining appropriate action based on the candidate for employment's falsification or failure to disclose his or her criminal history on the individual's application for A&M-Central Texas employment.

4. POST-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECKS

4.1 Employees are Subject to Periodic Checks

All A&M-Central Texas employees will be subject to periodic criminal history background checks at any time as permitted by law.

4.2 Current employees being considered as a candidate for promotion or transfer shall be subject to criminal history background checks.

4.3 An employee declining to consent to a criminal history background check during a promotional or transfer process will be removed from further consideration for the position. If an employee's position is being reclassified and the employee declines to consent to the background check, the employee may be dismissed.

4.4 Criminal history background checks on current A&M-Central Texas employees shall be run in accordance with System Regulation 33.99.14.

4.5 Reporting of arrests, charges, or convictions shall be in accordance with System Regulation 33.99.14. Failure to make the report required by this section shall constitute grounds for disciplinary action, including dismissal.

5. PROCESS FOR OBTAINING AND EVALUATING CRIMINAL HISTORY RECORD INFORMATION

5.1 The Office of Human Resources is responsible for obtaining criminal history records. These records will be analyzed by a human resources representative and, when necessary, the department head in accordance with System Regulation 33.99.14.

5.2 The record analysis will follow the guidelines as outlined in Section 6 of System Regulation 33.99.14 and a final disposition of the analysis will be documented and retained in the personnel file. The criminal history record information will be destroyed in accordance with System Regulation 33.99.14.

5.3 If the criminal history check produces criminal history record information, the Office of Human Resources may contact the System Office of General Counsel before determining appropriate action.

5.4 Every candidate for employment and employee will have, as permitted by law, the opportunity to request, receive, review, and correct information about that individual collected by, or on behalf of A&M-Central Texas using the authorization given as part of the employment application.

6. APPEALS

6.1 Any appeal of an action taken under this rule must follow the provisions of Section 7 of System Regulation 33.99.14.

Related Statutes, Policies, or Requirements

System Regulation [33.99.14, Criminal History Record Information-Employees and Candidates for Employment](#)

Contact Office

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