

## 33.99.14.D1 Criminal History Background Checks



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Revised: July 31, 2013  
April 25, 2017  
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Next Scheduled Review: March 19, 2031

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### Rule Summary

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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.

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### Rule

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#### 1. GENERAL

- 1.1 The A&M-Central Texas Human Resources Office (Human Resources) will 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, practicum student, adjunct, intern, volunteer, 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 will 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 will 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. POST-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECKS

- 3.1 All A&M-Central Texas employees will be subject to periodic criminal history background checks at any time as permitted by law.
- 3.2 Current employees being considered as candidates for promotion or transfer will be subject to criminal history background checks.
- 3.3 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.
- 3.4 Criminal history background checks on current A&M-Central Texas employees will be run in accordance with System Regulation *33.99.14*.
- 3.5 Reporting of arrests, charges, or convictions will be in accordance with System Regulation *33.99.14*. Failure to make the report required by this section will constitute grounds for disciplinary action, including dismissal.

### 4. PROCESS FOR OBTAINING AND EVALUATING CRIMINAL HISTORY RECORD INFORMATION

- 4.1 Human Resources is responsible for obtaining criminal history records. These records will be analyzed by a human resource representative and, when necessary, the department head or manager in accordance with System Regulation *33.99.14*.
- 4.2 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*.
- 4.3 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.

### 5. APPEALS

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

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## **Related Statutes, Policies, or Requirements**

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

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## **Contact Office**

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Human Resources  
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