Collecting Candidate Information

If a background check is required (see policy’s Audience section), the appointing department supervisor or manager will submit a request to the appropriate HR representative to initiate an online background-check invitation to the candidate or appointee. Pursuant to North Carolina Session Law 2013-53, any State entity requesting disclosure of information concerning any arrest, criminal charge or criminal conviction of the applicant must first advise the applicant that State law allows the applicant to not disclose any arrest, charge or conviction that has been expunged.

If a recruitment or hire is deemed to be time-sensitive, an appointing department may choose (but is not required) to request a background check for more than one candidate in advance of a final selection.

Note: Please be certain to complete all required fields when initiating a background-check invitation in the online portal. Failure to provide essential information accurately may result in time-consuming process complications.
Background Check Policy & Procedural Supplement (cont’d)

Initiating a Background-Check Request

The appointing department will submit a request to the appropriate HR representative to initiate a background-check invitation to the candidate or appointee.

The department representative will send a welcome email to the candidate with instructions for completing the online background check via the secure, web-based process hosted by the University’s background-check service provider. The departmental representative will then initiate an online invitation to the candidate via the appropriate school or division portal, also hosted by the University’s background-check service provider. Refer to the Background Check Desk Reference for HR Representatives to access step-by-step instructions for portal use and package options.

The departmental representative is responsible for completing all required fields in the online background-check request form. The background-check request form accommodates the necessary chartfield variables. Please note that chartfield account, fund, and source numbers are required for all background checks. Please refer to your school or division for specific instructions concerning the use of the chartfield program and cost codes.

Effective December 4, 2015, the OHR Background Check Unit no longer accepts emailed Background-Check Request Forms. After that date, the former “paper request process” will only remain available under extreme circumstances. In the rare instance where an individual is unable to complete the online process, please contact the background-check unit for guidance.

Conducting the Background Check

Once the University’s background-check service provider receives the completed online candidate submission, the following background checks will be conducted:

- a criminal convictions check for all municipal and state jurisdictions in which the covered individual has lived or worked since age 18 (subject to records availability)
- a criminal convictions check of federal court records
- a national sex-offender registry check
- a check of applicable federal debarment databases for covered individuals in paid appointments
- a driver’s license record check of applicable state motor-vehicle licensing agencies for any covered individual whose formal duties include driving
- an education credential check for any covered individual whose position requires a degree from an accredited educational institution
- a professional licensure check for any covered individual whose position requires a professional license
Background Check Policy & Procedural Supplement (cont’d)

Driver’s License Check
The University has incorporated a mandatory driver’s-license check as part of the background check for covered individuals for whom driving is required as part of their formal duties, or who could be reasonably expected to drive a University- or State-owned vehicle while performing those duties. This requirement does not apply to individuals who may routinely drive their own vehicles to meetings or events while performing their duties in the course of their jobs. The online background-check request includes the following field for the appointing HR representative:

- Motor Vehicle History (choose “Yes” only if driving is required for this position).
- If this question is answered “No,” then a driver’s-license check is not required and the departmental representative will select a background-check package that does not include a driver’s-license check when initiating the online invitation to the candidate, and a driving check will not be conducted. If the driving-related question is checked “Yes,” then the department representative will select the appropriate background-check package, to include a driver’s-license check in the state(s) that issued the covered individual’s driver’s license(s), and a driving check will be conducted. For guidance regarding background-check packages, please refer to the Background-Check Package Selection Matrix.

Federal Debarment Check
The University has incorporated mandatory checks for exclusion by the federal System for Award Management and debarment by the Office of Inspectors General as part of the background-check process for all candidates for paid appointments. Individuals in unpaid appointments are exempt from the federal debarment checks.

Under the Federal Acquisition Regulations, the University may not employ an individual who is currently debarred from employment with a federal contractor. If the background check reveals that an individual is currently debarred from employment with a federal contractor, OHR will notify the appointing department head and the school’s or division’s Human Resources officer or his or her designee.

Credentials Check
As per the Recruitment and Hiring Policy and the Background Check Policy, State laws require the verification of certain educational credentials. The educational credentials that require verification are the highest post-secondary degree, diploma, or certificate used to qualify the candidate; applied as a pay factor; or required by regulation for the position. Any degree that is verified must be from an accredited educational institution. If a foreign degree is the highest post-secondary degree, the department must verify that degree. If the candidate has two post-secondary degrees, the highest job-related degree must be verified.
Background Check Policy & Procedural Supplement (cont’d)

Departments are required to submit documentation (e.g., certified transcripts, employee-provided proofs of degrees, etc.) of any foreign-degree verification to the Office of Human Resources (OHR) Background Check Unit at backgroundcheck@unc.edu either as part of the background-check submission process or within 90 days of the employee’s hiring-effective date, if the documentation is not complete at the time of hire. Applicants who have obtained their education outside of the U.S. and its territories must have their academic degrees validated as being equivalent to the Baccalaureate, Master’s, or Doctoral degrees confirmed by a regionally accredited college or university in the U.S. A list of approved agencies performing this specialized service appears in the table on the next page. Applicants may directly contact any of these organizations for current information, procedures, and costs.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Mailing Address</th>
<th>Telephone Number</th>
<th>Fax Number</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Credential Evaluators, Inc.</td>
<td>P.O. Box 514070 Milwaukee, WI 53203-2470</td>
<td>414-289-3400</td>
<td>414-289-3411</td>
<td><a href="http://www.ece.org">www.ece.org</a></td>
</tr>
<tr>
<td>Educational Perspectives, Inc.</td>
<td>P.O. Box 618056 Chicago, IL 60661-8056</td>
<td>312-421-9300</td>
<td>312-421-9353</td>
<td><a href="http://www.educational-perspectives.org">www.educational-perspectives.org</a></td>
</tr>
<tr>
<td>Educational Records Evaluation Services, Inc.</td>
<td>601 University Avenue, Suite 127 Sacramento, CA 95825</td>
<td>916-921-0790</td>
<td>916-921-0793</td>
<td><a href="http://www.eres.com">www.eres.com</a></td>
</tr>
<tr>
<td>Foundation for International Services, Inc.</td>
<td>21540 30th Dr. SE, Suite #320 Bothell, WA 98021</td>
<td>425-258-9451</td>
<td>310-342-7086</td>
<td><a href="http://www.ierf.org">www.ierf.org</a></td>
</tr>
<tr>
<td>International Education Research Foundation, Inc.</td>
<td>P.O. Box 3665 Culver City, CA 90231-3665</td>
<td>310-258-9451</td>
<td>310-342-7086</td>
<td><a href="http://www.ierf.org">www.ierf.org</a></td>
</tr>
<tr>
<td>SpanTran Educational Services, Inc.</td>
<td>7211 Regency Square Blvd., Suite 205 Houston, TX 77036-3197</td>
<td>713-266-8805</td>
<td>713-789-6022</td>
<td><a href="http://www.spantran-edu.org">www.spantran-edu.org</a></td>
</tr>
<tr>
<td>World Education Services, Inc.</td>
<td>P.O. Box 745 Old Chelsea Station New York, NY 10113-0745</td>
<td>800-937-3895</td>
<td>212-966-6395</td>
<td><a href="http://www.wes.org">www.wes.org</a></td>
</tr>
</tbody>
</table>
Background Check Policy & Procedural Supplement (cont’d)

Charging Fees

Appointing departments will be charged the University's current background-check fees based on
- a basic, administrative background-check fee
- the types of jurisdictions that must be consulted
- the degrees and professional licenses that must be verified
- the driver's-license check (if applicable).

For a schedule of these fees, refer to the UNC Background Check Pricing Schedule.

Time Frame

The OHR Background Check Unit strives to notify appointing departments of clear background checks (i.e. those revealing no adverse results) within seven business days after the background check is initiated. This time frame may be exceeded, however, depending upon the number of names of record and the number and location of out-of-state jurisdictions that need to be checked.

Offer of Employment

The appointing department must receive the final results of a background check (with the exception of the credentials verification) prior to extending an offer of employment or appointing an unpaid affiliate. However, if a background check remains incomplete seven business days after being initiated and the appointing department head deems it essential to extend an offer of employment, the appointing department may seek approval from the Associate Vice Chancellor of Human Resources to extend a conditional offer of appointment, pending receipt of final background-check results. In exceptional circumstances, approval may be sought to extend a conditional offer prior to this time.

Effective Date/Report for Duty

An appointment-effective date must be no later than 90 calendar days after the background check is completed with no disqualifying results. If this timeline is exceeded, a new background check must be completed before the covered individual reports for duty.

Departments may not have an individual report for duty who does not have a completed background check with no disqualifying results. However, if a background check remains incomplete 30 business days after being initiated and the appointing department head deems it essential for an individual to report for duty, the appointing department may seek a special exception from the Associate Vice Chancellor of Human Resources or his/her designee for a covered individual to conditionally report for duty prior to completion of the applicable check. In this circumstance, a conditional report-for-duty will not be approved for individuals working in appointments that involve contact with sensitive populations or that otherwise have access to or control of sensitive University resources (e.g., select agents, large amounts of University funding) or sensitive facilities.
**Background Check Policy & Procedural Supplement (cont’d)**

**Assessing Convictions/Infractions**

If a background check reveals prior criminal convictions, serious driving infractions (when applicable), or falsification of credentials, then OHR or the designated central office, in consultation with the appointing department head and/or the school’s or division’s Human Resources officer or his or her designee, will assess the potential risks and relevance of each applicable conviction or infraction to the proposed appointment of the covered individual.

In considering whether a criminal conviction or driving infraction rises to the level of potentially barring a covered individual from appointment, OHR, in consultation with the appointing department head and the school’s or division’s Human Resources officer or his or her designee, may exercise discretion in determining whether there are mitigating factors which may still permit the appointment to proceed. Such factors may include:

- the relationship of the conduct to the specific job duties and responsibilities that would be performed by the covered individual, if appointed
- the nature, gravity, and context of the events surrounding the conduct, as evidenced by the background-check results and any supplementary information that can be obtained by the University or that is promptly provided by the covered individual
- the time that has elapsed since the conduct occurred and/or completion of any sentence served
- the individual’s demonstrated behavior since any conviction and the future potential for illegal activity by the individual, as might be inferred from a past pattern of conduct
- any other extenuating circumstances documented by the covered individual or otherwise known to the University (e.g. the age of the candidate at the time of the conduct, the totality of the circumstances, etc.)

The Office of the University Counsel, the Office of Postdoctoral Affairs, the Academic Personnel Office, and the Department of Public Safety may (but are not required to) be consulted when assessing the job-relatedness and relevance of prior convictions or driving infractions to a possible future appointment. For federally regulated, select agent appointments, the Department of Environment, Health & Safety may be consulted.

If education and/or professional licensure credentials cannot be verified, OHR, in consultation with the hiring official, may determine whether a covered individual may be employed or continue to be employed on the basis of falsification of stated credentials.
Any adverse results that indicate the need for further assessment and decision making will be routed as follows depending on the appointment type:

<table>
<thead>
<tr>
<th>If a covered individual of this type has an adverse background check . . .</th>
<th>. . . the results will be routed to . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>EHRA (EPA) non-faculty permanent and temporary appointments</td>
<td>the OHR EHRA (EPA) Non-Faculty Human Resources unit</td>
</tr>
<tr>
<td>Faculty permanent and temporary appointments¹</td>
<td>the Academic Personnel Office</td>
</tr>
<tr>
<td>Independent contractors</td>
<td>the OHR Background Check Consultant</td>
</tr>
<tr>
<td>Postdoctoral fellows²</td>
<td>the OHR EHRA (EPA) Non-Faculty Human Resources Consultant or, if necessary, the Office of Postdoctoral Affairs</td>
</tr>
<tr>
<td>SHRA (SPA) permanent appointments</td>
<td>the OHR Employment and Staffing Consultant assigned to the appointing department</td>
</tr>
<tr>
<td>SHRA (SPA) temporary appointments</td>
<td>the OHR Background Check Consultant</td>
</tr>
<tr>
<td>Unpaid affiliates</td>
<td>the OHR Employment and Staffing Consultant</td>
</tr>
<tr>
<td>All other special checks:</td>
<td>the OHR Background Check Consultant</td>
</tr>
<tr>
<td>• federally regulated select agent requirements³</td>
<td></td>
</tr>
<tr>
<td>• residential programs serving minors</td>
<td></td>
</tr>
<tr>
<td>• federal debarment checks</td>
<td></td>
</tr>
</tbody>
</table>

¹ In the case of a proposed faculty appointee, the Academic Personnel Office in the Office of the Provost, in consultation with the appointing department head and the school’s or division’s Human Resources officer or his or her designee, will assess the potential risks and relevance of each applicable conviction or infraction to the proposed appointment of the covered individual.

² In the case of a proposed postdoctoral fellow appointee, the Office of Postdoctoral Affairs in the Office of the Vice Chancellor for Research, in consultation with the appointing department head and the school’s or division’s Human Resources officer or his or her designee, will assess the potential risks and relevance of each applicable conviction or infraction to the proposed appointment of the covered individual.

³ OHR will inform the Director of Environment, Health & Safety (EHS) or his or her designee of any adverse background-check results for covered individuals who work with federally regulated select agents.
**Notifying Covered Individuals of Adverse Background Check Results**

In the event of an adverse background check that results in a potential determination that bars appointment, a covered individual is entitled to certain notification rights under the federal [Fair Credit Reporting Act](#).

The “pre-adverse” and adverse-action notifications described in this section shall be communicated by the University official noted below:

<table>
<thead>
<tr>
<th>“Pre-adverse” and adverse-action notifications to this appointment type . . .</th>
<th>. . . will be communicated by this University official:</th>
</tr>
</thead>
<tbody>
<tr>
<td>EHRA (EPA) non-faculty permanent and temporary appointments</td>
<td>Director, EHRA (EPA) Non-Faculty Human Resources, OHR</td>
</tr>
<tr>
<td>Faculty permanent and temporary appointments</td>
<td>Director, Academic Personnel Office in the Office of the Provost</td>
</tr>
<tr>
<td>Independent contractors</td>
<td>Senior Director, Employment and Staffing, OHR</td>
</tr>
<tr>
<td>Postdoctoral fellows</td>
<td>Director, Office of Postdoctoral Affairs, Office of the Vice Chancellor for Research</td>
</tr>
<tr>
<td>SHRA (SPA) permanent and temporary appointments</td>
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<td>- federally regulated select agent requirements</td>
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<td>- residential programs serving minors</td>
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<tr>
<td>- federal debarment checks</td>
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</table>
Pre-Adverse Notification

If a background check produces adverse results that could bar appointment of a covered individual, the appropriate University official designated in the table above will notify the covered individual prior to taking any adverse action based in whole or in part on the background-check results. This “pre-adverse” notification shall include the following items:

- a letter sent by U.S. certified mail, a courtesy copy of which may also be provided by electronic mail and/or regular mail or another means deemed appropriate by the Senior Director of Employment & Staffing or his/her designee
- a copy of the background check results used to reach a potential determination that would bar appointment
- a copy of the document “A Summary of Your Rights Under the Fair Credit Reporting Act”

The covered individual must be allowed five business days from receipt of the notification to offer any written explanation regarding the adverse results in question or to challenge the accuracy of the results with the consumer reporting agency.

Taking into account any supplemental explanation or information that is provided by the covered individual, the designated University official will finalize his or her decision in this matter, in consultation with the appointing department head and the applicable school’s or division’s Human Resources officer or his or her designee and/or the Office of the University Counsel and Department of Public Safety, as necessary.

Adverse Action Notification

If an adverse background check affects the decision not to hire a covered individual, the appropriate University official designated in the table above will, within five business days of the expiration of the covered individual’s five-day response period, notify the covered individual. This “adverse action” notification must include the following:

- a letter sent via certified mail
- a copy of the document “A Summary of Your Rights Under the Fair Credit Reporting Act”
- information on rights to dispute the accuracy of the information on the consumer report through the consumer reporting agency

Any decision to bar appointment due to an adverse result from the University’s background check process will be considered final.
Background Check Policy & Procedural Supplement (cont’d)

Related Regulations, Statutes and Related Policies

- Background Checks for Faculty and Non-Faculty Employees, Student Employees and Affiliates
- Fair Credit Reporting Act
- Independent Contractor Policy
- North Carolina Session Law 2013-53
- Policy on Unpaid Volunteers, Interns and Visiting Scholars

Forms

- Authorization for Release of Information from Education Records
- Background Check Request

Other Related Documents

- Background Check Frequently Asked Questions
- Quick Reference: How to Initiate a Background Check Using the Online Background Check Process
- A Summary of Your Rights Under the Fair Credit Reporting Act
- UNC Background Check Pricing Schedule

Document History

- Effective Date: September 15, 2014
- Revision Date: August 29, 2016