

Background Check Policy

I. POLICY STATEMENT

Dartmouth is committed to ensuring that its academic and research missions are supported by qualified faculty and staff, and that its community is safe. Dartmouth is also committed to taking meaningful actions to protect its finances, property, and other assets. This policy sets forth Dartmouth's procedures for conducting pre-employment background checks for all paid positions.

II. STATEMENT ABOUT BACKGROUND CHECKS AND DISCRIMINATION

Information discovered through the background check process will be used solely for the purpose of evaluating a finalist's suitability for employment and will not be used to discriminate against a finalist on the basis of race, color, religion/creed, sex/gender, age, sexual orientation, gender identity/expression, national origin, genetic information, marital/familial status, disability, military, veteran status, or any other protected status.

III. REFERENCE CHECKING

The post-offer background checks conducted under this policy do not replace the reference checking expected to be completed and reviewed by hiring managers or through the faculty hiring processes as part of the candidate selection process prior to the extension of an offer of employment. Hiring managers with questions about checking employment references on final candidates may contact their [Talent Acquisition Consultant](#) in the Office of Human Resources.

IV. DEFINITIONS

- A. Finalist: For staff, the candidate selected by the hiring department for a regular or temporary staff position at Dartmouth who has been extended an offer of employment contingent upon completion of a background check with results acceptable to Dartmouth. For faculty, researchers, and fellows, the candidate selected by each school, whether a new hire or a rehire, if the position is a paid Dartmouth College position. Faculty are further defined according to the definition used by each school.
- B. Background check: Checking or verifying any or all parts of the finalist's employment, educational, criminal, sex and violent offender, license, and/or credit histories. The nature and scope of the background check will be determined by

Dartmouth and will be appropriate to the position. The background checks in this policy may be conducted by Dartmouth or a background check vendor.

- C. Background check vendor: A company engaged by Dartmouth to conduct background checks. Whenever a background check vendor conducts all or any portion of a background check, Dartmouth will require the vendor to comply with state and federal law, including the requirements of the Fair Credit Reporting Act (“FCRA”).
- D. Employment history check: Verifying that the finalist worked in the positions cited or listed in the finalist’s application, resume or curriculum vitae. This verification will include dates of employment and titles for regular, non-student employment for at least the seven (7) years immediately preceding the finalist’s application to Dartmouth. The employment history check is not a substitute for the hiring department or school checking employment references prior to extending an offer of employment.
- E. Educational history check: Verifying that the finalist possesses the relevant educational credentials cited or listed in the finalist’s application, resume or curriculum vitae.
- F. Criminal history check: A search for any felony or misdemeanor convictions or pleas which are acknowledgements of responsibility (*e.g.*, plea of guilty, no contest or *nolo contendere*) and which have not been annulled or sealed during the seven (7) years immediately preceding the finalist’s application to Dartmouth. Criminal convictions or pleas will not automatically exclude a finalist from consideration for employment unless they are related to the position offered and the decision not to hire is consistent with business necessity.
- G. Sex and violent offender check: A search of state and federal sex and violent offender registries.
- H. License history check: Verifying, if required for the position, that the finalist possesses the licenses cited or listed in the finalist’s application, curriculum vitae, resume, or cover letter, including establishing the current status of the relevant licenses. This includes, for example, checking any motor vehicle driver’s license required for the position, or any professional license required for the position.
- I. Credit history check: Checking the credit history of the finalist, if required for the position.

- J. Adverse action: A denial of employment or any other decision made for employment purposes that adversely affects any current or prospective employee.

V. PROCEDURES

A. Consent to Conduct Background Checks and Confidentiality

Finalists for all paid positions will be informed during the pre-employment process that any offer of employment is contingent upon completion of a background check with results acceptable under this policy (see below). Prior to conducting the background check, a signed, written consent will be obtained from the finalist. Refusal to authorize the background check will make the finalist ineligible for employment.

The information obtained through background checks is confidential and will be shared only with individuals with an essential business need to know. Records of the background check will be maintained in the Office of Human Resources separately from the employee personnel files.

Generally, employment in the position should not begin until Dartmouth has received and reviewed the results of the background check. Exceptions may be made at the hiring department's request with the approval of the Office of Human Resources or at the request of a particular school with the approval of the Provost, in consultation with the Office of Human Resources.

B. Determining Required Background Checks for Position

Finalists for all staff positions at Dartmouth are subject to standard background checks of employment, educational, criminal, and sex and violent offender histories. Finalists for all faculty, research, and fellow positions at Dartmouth are subject to background checks of criminal and sex and violent offender histories. Employment and educational qualifications for faculty and research positions will be verified through the faculty hiring process. Criteria for identifying a position as possibly requiring license, credit, or other additional background checks include but are not limited to:

1. Direct responsibility for the care, safety, and/or security of individuals;
2. Direct responsibility for handling or managing money or credit information;
3. Responsibility for operating vehicles or machinery that could cause accidental injury or death; or
4. A requirement for a certificate, professional license, or accreditation.

C. Background Checks for Current Employees

Background checks will not be required for current Dartmouth employees under the following circumstances:

1. Employee transfers or promotions if the background check or checks required for the position were completed within the five (5) years preceding the transfer or promotion;
2. Shift changes where the employee continues to hold the same position in the same department;
3. Lateral position changes within the same department resulting from a reorganization or restructuring of a work unit;
4. Change in faculty rank; or
5. Attaining tenure.

D. Background Checks for Former Employees

Background checks will not be required for former Dartmouth employees who are offered a regular or temporary position within one year of ending their most recent Dartmouth employment, so long as the background check or checks required for the position were completed within the five (5) years preceding the rehire.

E. Current Employees and Duty to Report Convictions/Pleas

All employees, including faculty, staff, researchers, and fellows, have an ongoing responsibility during their employment to make Dartmouth aware of any felony or misdemeanor convictions or pleas which are acknowledgements of responsibility. Any convictions or pleas should be reported to [Human Resources](#).

F. Evaluation of Background Check Results

Once the background checks are completed, Dartmouth will make a final hiring decision based upon the information gathered. For purposes of this policy only, "Dartmouth" refers to a decision by HR made in consultation with the head of the hiring department for staff. For faculty, researchers, and fellows, results of the background check will be sent directly to Dartmouth's Chief Human Resources Officer or their designee (CHRO). Any findings of concern would be reviewed only by the CHRO, the Provost, and the relevant faculty dean(s). If negative information is obtained through the background check process, the appropriate parties, as identified in the preceding sentence, will determine whether the information is job-related and if a decision not to hire would be consistent with business necessity. In

making this determination, the appropriate parties will consider, among all other relevant information, the following:

1. For all criminal convictions or pleas, the nature and seriousness of the offense(s), the number and type of offense(s), the amount of time that has elapsed since the offense(s), whether such offense(s) are related to the responsibilities of the position, and the accuracy and completeness of the information provided by the finalist during the application process.
2. For all other negative information, the nature and seriousness of the activities or data obtained, the amount of time that has elapsed since the activities or data, whether the information is related to the responsibilities of the position, and the accuracy and completeness of the information provided by the finalist during the application process.

G. Adverse Action Taken Due to Background Check Results

If adverse action is probable based in whole or in part on the results of a background check covered by the FCRA, the finalist will receive a copy of the background check report, a Pre-Adverse Action Notice, and a document summarizing the finalist's rights under the FCRA. Finalists will be permitted to provide responsive information regarding their criminal history, including evidence that they did not commit the offense (*e.g.*, in the case of a misidentification), evidence of rehabilitation or character, the length of time since the last criminal conviction, other factors relevant to the adverse information, and other extenuating circumstances, including but not limited to disparate legal and enforcement practices. The finalist will be given five (5) business days to provide this information so as not to delay the recruitment process for the position. Extensions may be provided to the finalist at the sole discretion of Dartmouth.

If adverse action is taken against the finalist in whole or in part based upon the results of a background check, the finalist will receive an Adverse Action Notice indicating that the offer is rescinded. The finalist will also receive a document summarizing the finalist's rights under the FCRA.

H. Exceptions to the Background Check Policy

Exceptions to this policy may be made at the discretion of Dartmouth through the Chief Human Resources Officer or the CHRO's designee. Categories of employees that are excluded from this policy include temporary employees not directly paid by Dartmouth, student employees, unpaid interns, and volunteers, unless a background

check is otherwise required by state or federal law, an accrediting body, or Dartmouth policy, or is otherwise necessary due to the nature of the role.

APPROVED BY:

Chief Human Resources Officer
Executive Vice President
Provost