

Rule 33.99.14.T1 Criminal History Record Information – Employees and Candidates for Employment



Approved: November 1, 2008
Revised: December 7, 2016
Revised: July 25, 2018
Revised: December 21, 2022
Next Scheduled Review: December 21, 2027

Rule Summary

Tarleton State University (Tarleton or university) is committed to providing a safe environment for students, employees and visitors. This rule is a supplement to and required by A&M System Regulation 33.99.14, *Criminal History Record Information – Employees and Candidates for Employment*, to implement the regulation requirements at Tarleton.

Definitions

Refer to [System Regulation 33.99.14](#) for [Definitions](#).

Procedures and Responsibilities

1. GENERAL

- 1.1 All Tarleton positions, including temporary and student positions, are deemed security sensitive and are subject to criminal record background checks in accordance with System Regulation 33.99.14.
- 1.2 The president delegates authority to authorize hire actions and/or approve written reports as allowed by System Regulation 33.99.14 to the appropriate divisional vice president.

2. PRE-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECKS FOLLOWING CONDITIONAL OFFER

- 2.1 All finalists for positions shall be subject to an acceptable criminal history background check. Any candidate for employment declining to consent to a criminal history background check will be removed from further consideration for the position.

- 2.2 Any offers or hiring action 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 When performed by Employee Services, criminal history background checks on candidates for employment with Tarleton shall be run from;
 - 2.3.1 the Department of Public Safety (DPS) Crime Records-Secure Site,
 - 2.3.2 the DPS Crime Records-Public Site, or any other publicly available local, state, or federal source, and/or
 - 2.3.3 a third-party vendor (in accordance with the federal Fair Credit Reporting Act).

3. POST-EMPLOYMENT CRIMINAL BACKGROUND CHECKS

- 3.1 Current employees being considered as a candidate for promotion, transfer or reclassification that requires a position change shall be subject to a criminal history background check.
- 3.2 Any 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 terminated.
- 3.3 Any offers or hiring action that may occur prior to the completion of the criminal background check shall be conditional and contingent on an acceptable criminal background check.
- 3.4 Criminal history background checks on current Tarleton employees shall be run from the DPS Crime Records-Public Site or any other publicly available local, state, or federal source if the check is performed by a third-party vendor.

4. PROCESS FOR OBTAINING AND EVALUATION CRIMINAL HISTORY RECORD INFORMATION

- 4.1 Employee Services is responsible for obtaining criminal history records.
- 4.2 If the criminal history check produces a criminal record, Employee Services may contact a University Police Department representative to further investigate, verify the record and/or obtain any necessary additional information needed for analyzing the record.
- 4.3 The record analysis and subsequent action will follow the guidelines as outlined in System Regulation 33.99.14 and a final disposition of the analysis will be documented and retained in the personnel file. The criminal record will be destroyed in accordance with System Regulation 33.99.14.

- 4.4 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 Tarleton using authorization given as a part of the employment application.
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Related Statutes, Policies, or Requirements

[System Regulation 33.99.01, *Employment Practices*](#)

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

[Tarleton Standard Administrative Procedure 33.99.01.T0.01, *Hiring Faculty and Non-Faculty*](#)

Contact Office

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