

# Background Check Frequently Asked Questions

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September 22, 2021

## Where is the policy that permits UMD to conduct background checks?

The full interim policy is posted on the president's website, Policy Number: [VII-1.15\(A\) University of Maryland Policy on Criminal Background Checks](#).

## Who will need a background check?

All newly hired staff and faculty (except visiting faculty) will need a background check as a condition of employment. Specifically, background checks are required for all newly hired:

- Paid full-time and part-time tenured and tenure-track faculty, professional track faculty, adjunct faculty, permanent status and permanent status-track faculty, and newly hired faculty holding administrative positions, and
- Regular and contingent exempt and non-exempt staff.

## Will current employees need background checks?

No. The interim policy only applies to newly hired faculty and staff, and rehires who have been separated from the university for over a year.

## Will student employees and Graduate Assistants need a background check?

In most cases, no. The only time a student employee would be subject to a background check is if they are working in a position that requires a criminal background check by state law; for example, if they are working with minors. Beginning October 1, 2021, when posted/advertised, positions that require a background check include a statement that a pre-employment background check is required.

## When will the background check requirement begin?

UHR will begin a phased implementation of background checks for covered positions beginning with formal offers made on or after October 1, 2021. UHR will contact department leaders to inform them of when their department will be included in the implementation. Background checks for all departments will be implemented by January 2022.

### **Who will see the results of the background check?**

UHR will receive the initial results of the background check. If necessary, a panel of reviewers representing UHR, Legal Affairs and, in the case of faculty hires, the Office of Faculty Affairs will review the results to make a determination about whether the finalist's history is compatible with the position they are seeking.

Hiring managers will not be told the specifics of a background check result. Hiring managers will only be informed that the finalist is eligible or ineligible to be hired.

### **If a finalist has a conviction, will that automatically disqualify them from working at the University?**

No. A conviction will not necessarily disqualify a finalist from employment. The case will be reviewed and factors such as the nature of the conviction, how long ago it was issued, and the relationship between the conviction and the essential functions of the position will be reviewed.

### **Do finalists get a copy of their background report?**

If a finalist requests a copy of their background report, HireRight will provide it. Additionally, if the report reveals a history that is incompatible with the position sought, the finalist will be given a copy of the report, time to correct any inaccuracies, and an opportunity to provide context for the background.

### **What if a background check returns inaccurate information?**

In cases where the background check reveals a history that might be incompatible with the job sought, the finalist will be contacted in writing within a prescribed timeframe to confirm their information. The finalist will be provided with a contact for the agency that returned the information so they can have it corrected. In addition, the finalist will have contact information for the Background Check help center at HireRight, should they have any questions about their report.

### **Will arrest information be considered?**

No. Information about arrests will not be considered when making an employment decision.

### **What safeguards are in place to avoid discrimination?**

Consistent with the University's commitment to non-discrimination, results of background checks will be reviewed for compatibility with the functions of the job by staff trained in EEO best practices and other federal, state and county regulations. Results will be treated as highly confidential and analyses are conducted on a regular basis to ensure there is no unintended effect on any race, ethnicity or gender.

### **What information will be searched for in a background check?**

Information will include a state and national criminal records check and social security number trace. For some jobs, the records check will include financial history or credit report, MVA records, and/or educational verification.

### **Is this a mandatory process?**

Yes.

### **Can a person begin employment prior to the background screening being completed?**

No. The background check must be completed before a finalist begins employment.

### **How long will the process take?**

Most background check results will be returned within 72 hours.

### **Who do I contact if I have questions about this process?**

Please email [background@umd.edu](mailto:background@umd.edu) with any questions or concerns.