# ACD 126: Reference Check and Background Verification

## Recruitment & Selection: Fingerprinting Process

### NEED ASSISTANCE?

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**EMAIL**

backgroundcheck@asu.edu

**FORMS**

cfo.asu.edu/hr-forms

**FAQs**

cfo.asu.edu/hr-backgroundfaqs
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SECURITY-SENSITIVE POSITIONS
Positions that require fingerprinting | cfo.asu.edu/hr-securitysensitive

DEFINITION
Security-sensitive positions include positions with the potential to expose the university to extensive liability and are designated by the university in accordance with ASU ACD 126 (Reference Check and Background Verification) and Arizona Board of Regents' policy 6-709.

Positions listed below have been designated as "security-sensitive" and require a Criminal Background Check of the final candidate. This information is required for individuals not currently employed by ASU as well as those currently employed by the university who are moving or transferring into a security-sensitive position. Security-sensitive positions include positions with the potential to expose the university to extensive liability and are designated by the university in accordance with ASU ACD 126 (Reference Check and Background Verification) and Arizona Board of Regents' policy 6-709.

University Administrators (including Acting and Interim)
President
Vice President
Deputy Exec VP University Service
Senior Vice President
Senior Advisor
Chief Financial Officer
Chief Information Officer
Dean
Associate Dean
Assistant Dean

Positions with Unsupervised Contact with Minors
Will be identified based upon the duties and functions of the job. Includes positions involving unsupervised work with minors who are not enrolled students of the university such as cooperative programs, 4-H and summer youth camps. "Unsupervised" can be further defined as performing job duties in the presence of a minor in a confined room, vehicle or work space without the presence of another adult; or being in the presence of a minor outside the view of another adult within 30 feet.

Positions with Direct Access to Select (Biological/Biochemical) Agents
Positions that have direct access to Select Agents, as defined by the USA Patriot Act of 2001 and the Public Health Security and Bioterrorism Preparedness Response Act of 2002, except where excluded by law because the Principle Investigator does not, at any time, exceed the Select Agent regulatory threshold quantities specified under the applicable regulations.

Positions with Unrestricted Access to Residence Hall Rooms
Includes all positions within Residential Life that have access to master keys to the residence halls.

Other Positions Designated by a Dean or Vice President as "Security or Safety-Sensitive"
Some examples include:
- positions with Information Technology, due to their responsibility for oversight and management of the institutions computer systems and accessibility to data; and
- positions that handle financial transactions as a job responsibility. These responsibilities include, but are not limited to: approval authority within the accounting system, collecting and handling of cash or checks, writing or approving checks, having access to a direct money stream, being an authorized ASU Purchasing Cardholder, or being a fiduciary to ASU.
This policy also applies to finalists who indicate a prior felony conviction, and all non-student staff hires who handle cash and checks on an ongoing basis.

**NOTE:** Exempted from the fingerprinting requirement are staff hired for a specific event held only once or twice a year and who do not handle cash and checks on a continuing basis and employees of the ASU Police Department (ASU PD). Pre-employment screening of these individuals shall be conducted in accordance with ASU PD hiring protocols.

**ARS 15-1649: FINGERPRINTING ACADEMIC AND NONACADEMIC PERSONNEL; CIVIL IMMUNITY; DEFINITIONS**

cfo.asu.edu/hr-ars151649

A. The finalist for a security- or safety-sensitive position at a university that is under the jurisdiction of the Arizona board of regents shall be fingerprinted as a condition of employment. **The finalist shall submit a full set of fingerprints to the university for the purpose of obtaining a state and federal criminal records** check pursuant to section 41-1750 and Public Law 92-544. The department of public safety may exchange this fingerprint data with the Federal Bureau of Investigation.

B. A university may use information obtained pursuant to this section only for the purpose of evaluating the finalists for employment in security- or safety-sensitive positions. A university may provide information received pursuant to this section to any other university that is evaluating the finalist for employment if the university is under the jurisdiction of the Arizona Board of Regents. A university may refuse to hire, may rescind an offer of employment to or may review and terminate the employment of a finalist or employee who has been convicted of or who has admitted committing any criminal offense. A university considering terminating an employee pursuant to this subsection shall provide due process to the employee in accordance with policies adopted by the Arizona Board of Regents and the university before taking disciplinary action.

C. A university that relies on information obtained pursuant to this section in making employment decisions is immune from civil liability for use of the information unless the information obtained is false and the university knows the information is false or acts with reckless disregard of the information's truth or falsity.

D. A security- or safety-sensitive position shall be identified as a security- or safety-sensitive position in the job description and in any advertisements for the position.

E. For the purposes of this section:

1. **Finalist** means any person in the group of individuals actually submitted to the hiring official for selection as a new hire or any university employee who seeks a transfer, a reclassification or a reassignment to a security- or safety-sensitive position.

2. **Security or safety-sensitive position** means any position designated as a security- or safety-sensitive position by a university due to applicable federal or state law or pursuant to rules or policies adopted by the Arizona Board of Regents or the university.
ORDER FINGERPRINTING

The Hiring Dept. should **CHOOSE ONE** of the following options to request a fingerprint check:

**Option 1**

Department or Applicant/Employee should call **ONE of these options** to schedule an appointment:
- **Help Desk** | 855.278.5081
- **Tempe and Poly campuses** (Christina Haydu) | 480.965.4115
- **West and Downtown Campuses** (Allison Walas) | 480.965.4582:

Provide the following information:
- Employee/Applicant Name
- Department
- Department Contact for Results (Business Manager or Business Operations Manager, or HR Coordinator, HR Manager or HR Consultant)
- Account to charge for fingerprinting costs
- Reason for fingerprinting: Employment, P-Card or Both

**NOTE:** Consent form will be completed at the fingerprint session – **do not forward separately**

**Option 2**

Department may **email** the following completed forms to backgroundcheck@asu.edu:
- HR Staffing Background Fax Cover Sheet
- Consent and Disclosure Form
- Pre-Employment Inquiry Form and copy of the applicant/employee resume

**NEEDED ONLY** if OHR has been requested to handle any of the following

**Standard Pre-Employment Screening:**
1. Employment Verification
2. Education Verification
3. Verify a Professional License
4. Conduct Professional Reference Check

**Option 3**

Department may **Fax** completed forms to **480.993.0006**
- HR Staffing Background Fax Cover Sheet
- Consent and Disclosure Form
- Pre-Employment Inquiry Form and copy of the applicant/employee resume

**NEEDED ONLY** if OHR has been requested to handle any of the following

**Standard Pre-Employment Screening:**
5. Employment Verification
6. Education Verification
7. Verify a Professional License
8. Conduct Professional Reference Check

**FORMS YOU NEED**

HR Staffing Background Cover Sheet
Consent and Disclosure Form
Pre-Employment Inquiry Form

cfo.asu.edu/hr-forms
PROCESS OVERVIEW

SCHEDULING A FINGERPRINTING APPOINTMENT

Option 1
Hiring Department sends OHR notification via email or submits a HR Staffing Background Fax Cover Sheet, to contact Applicant/Employee.

An email is sent to the Applicant/Employee with instructions to schedule a fingerprinting appointment.

Option 2
Applicant/Employee/Hiring Department schedules a fingerprinting appointment.

Fingerprint Appointments NOT scheduled within a one-week timeframe OR No Shows for original appointment:
Applicant/Employees will receive a follow-up email as a reminder to schedule or reschedule, with a cc to the Hiring Department contact

Fingerprint Appointments NOT scheduled or rescheduled within a two-week timeframe:
OHR will email the department and recommend that the offer for the Applicant/Employee be:

- Rescinded due to ACD 126 requirements not fulfilled OR
- Request hiring department send confirmation to OHR that fingerprinting is no longer required due to job responsibility shift and OHR will submit a standard background search on behalf of the hiring department using the same contact and agency org.

Applicant/Employee Is Fingerprinted

When fingerprints are unreadable:
OHR will notify candidate/department that another fingerprinting is required and request Applicant/Employee call to schedule another fingerprinting appointment:

NOTE: There is no charge to the department for “reprints.”

If “reprints” come back unreadable a second time, OHR will submit a NAME SEARCH request, to the Arizona Dept. of Public Safety (AZ DPS) that will be processed through the FBI.
OHR RESPONSIBILITIES

- **Process batch of print cards:**
  Arizona DPS Non-Criminal Justice Applicant Fingerprint Card Inventory Sheet (IS) is filled out.

- **Inventory Sheet is logged at each stage:**
  - **Check is requested** via Accounts Payable (AZ DPS requires pre-payment for each IS)
  - **Check is received** from Accounts Payable
  - **IS, Check and Print Cards are delivered** to AZ DPS via Courier Service
  - **Daily calls are made** to AZ DPS for IS batches completed and ready for return to OHR
  - **Print Cards, FBI and AZ DPS reports are returned** to OHR via Courier Service

- **Information Evaluation**
  When considering whether or not to hire an individual with a criminal history, many factors will be assessed during the background investigation review, including:
  1. the relevance of a criminal conviction to the posted job duties;
  2. the date of the most recent offense;
  3. the nature and number of convictions;
  4. the relative threat to the security of ASU, its employees and students;
  5. the accuracy of the information the individual provided on the employment application and/or in the recruitment process; and
  6. other relevant considerations.

  The finalist has a minimum of five days to refute, explain or correct the information. If there is no change in status within five days, the finalist will be withdrawn from the candidate list. If the finalist is a current employee, his or her suitability for continued employment will be evaluated. In some cases, presidential approval may be required before an offer of employment is extended.

  ASU may refuse to hire a finalist, may withdraw a conditional offer of employment to a finalist, or may terminate an employee where the finalist has made a false representation of material fact or does not provide material factual information during the employment process.

  OHR Recruitment & Selection will review results and send an email notification confirming results and any further action, if required:

**Examples**

**NOTE:** Fingerprint results on the above-referenced person have been returned as clear, to include the following: Employment Verification, Education Verification, Professional References, and MVR *(whichever applied)*. No further action is required.

**NOTE:** Fingerprint results on the above-referenced person have been returned as clear.

**Reminder:** ACD 126: Reference Check and Background Verification
NOTE: Fingerprint results on the above-referenced person has been returned. No further action with regard to the background check is required. You can move forward with the hiring process.

NOTE: Fingerprint results on the above-referenced person have been returned. No further action with regard to the background check is required. You can move forward with the hiring process. If driving becomes a factor, please request a Motor Vehicle Registration (MVR) and submit a Driver’s Authorization Form.

cfo.asu.edu/hr-forms
SPP 319 Driver’s License Monitoring
FAQs: cfo.asu.edu/hr-driverslicense

HIRING DEPARTMENT RESPONSIBILITY

Hiring Department:  
- can continue with hiring process, OR  
- if potentially disqualifying information is received, OHR Recruitment & Selection will forward to the designated HR Partner for further review and discussion with hiring manager.

Pre-Adverse letter  
cfo.asu.edu/hr-forms

TYPES/COST OF FINGERPRINTING

Required for Security-Sensitive Positions (ARS 15-1649):

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<th>Fingerprint Check for ASU clearance</th>
<th>$40 each</th>
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Exceptions for fingerprinting:  
Current employees can submit a Fingerprint Clearance Card (FPCC) in lieu of being fingerprinted for  
- P-Card applications only, which will be validated with AZ DPS; or  
- Student programs that require placement to agencies outside of ASU.  
  If the student placement is into a Public or Charter School, the FPCC must have the “IVP” designation on the front bottom of the card; otherwise an IVP card is required.  
  For student placement in programs other than Public or Charter Schools, may submit a non-IVP card.

Optional (ARS 41-1758.01 & 41.1758.02):

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<th>Identified Verified Printing (IVP) (Fingerprint Clearance Card):</th>
<th>$69 each</th>
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| - This type of fingerprint clearance card is required for placement into Public or Charter School as of 4/2008  
  - Valid for six years  
  - Department may pay for the cost of the IVP fingerprint clearance card or have the applicant pay  
  - If department opts to pay, they will be billed in the same form as with ASU clearance |
BILLING
Departments will be invoiced via Advantage when an Inventory Sheet has been submitted to AZ DPS or no later than the first week of each month.

RECORDS
SPP 1101: Personnel Records
www.asu.edu/aad/manuals/spp/spp1101.html

The Office of Human Resources will:
Manage and retain all background verification reports. Information collected on qualified candidates hired by the university will be stored separately from the official employee file and kept on file for five years after the employee terminates or retires.

NOTE: Hiring departments are not required to maintain a separate background file on employees because OHR maintains a file. If, however, a department retains a background file in addition to the minimum requirements (SPP 1101: Personnel Records: Records Maintained in the Employee’s Department), background-related items MUST be kept separate from the departmental employee file.

DISPOSAL OF RECORDS
Fingerprint cards are maintained on file by OHR for six (6) months and then shredded. OHR personnel are required to accompany shredding company personnel and validate the on-site destruction of fingerprint cards and/or AZ DPS or FBI records.

RELEASE OF INFORMATION
Information Release
Only ASU-designated employees may initiate a criminal background check and/or credit check or receive results. Results of all background checks will be kept confidential and will not be disclosed except to the extent necessary to administer and enforce this policy, as provided by law or pursuant to appropriate legal process.

The university may release the results of a reference check and background check to another university under the jurisdiction of the Arizona Board of Regents for employment purposes.

FREQUENTLY ASKED QUESTIONS (FAQs)
cfo.asu.edu/hr-backgroundfaqs

TOPICS
Access and Privacy
Time Issues
Student Employment Issues
Funding, Costs and Liability
Hiring Issues
Process & Forms
POLICIES AND REFERENCES

ACD 126: Reference Check and Background Verification
www.asu.edu/aad/manuals/acd/index.html

ABOR 6-709 Mandatory Background Checks for Employees and Process for Hiring, Retaining, or Terminating Employees Convicted of a Felony Offense
www.azregents.edu/policymanual/default.aspx

OHR Background/Fingerprinting | cfo.asu.edu/hr-background

Security-sensitive Position | cfo.asu.edu/hr-securitysensitive

ARS 15-1649 | cfo.asu.edu/hr-ars151649


The Fair Credit Reporting Act | www.ftc.gov/os/statutes/031224fcra.pdf