

## Student Criminal Background Check

This policy is for all University Housing student criminal background checks, with the exception of caregiver checks. The purpose of this policy is to ensure University Housing is a safe and secure environment for all students, employees, and visitors.

### When a CBC is Needed

- Criminal Background Checks (CBC) will be conducted for all student positions as required by the duties listed in the position description. Please see the University Housing Student Employee Handbook for a complete listing of positions requiring a CBC.
- Human Resources will always perform a CBC when a student moves to a new title requiring a check, unless they meet one of the exceptions listed below:
  1. Same Title:
    - "Late summer custodian", "Early summer custodian", "Summer custodian", "Academic year custodian", "Custodian- nights" and "Team Member/Custodian" are all considered the "custodian" title and students will not require a new CBC if they are moving from one custodian title to another custodian title within the same department.
      - o A University Apartments Custodian moving to a Residence Halls Facilities Custodian position will need to complete a CBC.
    - An academic year House Fellow moving to a Summer House Fellow will not require a new CBC.
    - A supervisor moving to a non-supervisory position in the same title and department will not require a new CBC (for example, a Custodian Supervisor moving to a "custodian" title).
  2. Existing CBC:
    - At the time of the CBC check, if there are existing CBC results from within the last 30 days, the previous results will be used and applied to the new position versus running a new CBC. A new self-disclosure form is not needed if there is no break in service and there are existing CBC results from within the last 30 days.
    - At the time of the CBC check, if another CBC was initiated (and the results aren't back yet), there is no need to run a new CBC. The same results from the initial check will be used and applied to both positions.

### Access to Vulnerable Populations

Access to vulnerable population is defined in campus policy as: Responsibilities require unsupervised or significant access to vulnerable populations, defined as minors and medical patients. A minor is a person under the age of 18 who is not enrolled, accepted for enrollment or employed at a UW System institution. Examples of settings with vulnerable populations include child care centers, precollege camps or enrichment programs. To fall into this designation, the position duties must require access to vulnerable populations e.g., UW students in University Housing Facilities. This category also includes employees who are not directly working in those units, but have unsupervised access to the unit when the vulnerable population is present.

- Students will receive a notification in their appointment letter that they are required to self-report any criminal arrests, charges, or convictions.
  - o Supervisors/Managers will also cover this in their orientation.

- Students in these positions will have a CBC conducted every four years (they are notified of this in the appointment letter as well).

### Caregiver Background Checks

In addition to routine CBC being run, some positions require additional background checks and a different self-disclosure form to be completed. Generally, these positions are employed in Eagle's Wing.

- Positions identified as a caregiver require successful completion of the WI Caregiver's check.
- Caregiver positions also require a fingerprint-based criminal history check of Federal Bureau of Investigation (FBI) records, per s. 48.685(2)(bm), Wis. Stats.
- Caregiver checks require a physical signature on the form and uses the Caregiver Self Disclosure form. As a result, the collection of the self-disclosure form is not initiated electronically.
- Caregivers are subject to yearly criminal background and Wisconsin Caregiver checks and are also required to self-report any criminal arrests, charges, or convictions (they are notified of this in the appointment letter as well). HR runs the annual caregiver checks in January, regardless of the employee's date of hire.

### Starting Work Prior to Obtaining CBC Results

- Offers of employment must include statements of contingency. Supervisors must inform finalists being offered that continued employment is contingent upon successful results of a criminal background check (this will also be stated in the appointment letter).
- If a student is working before their CBC results are back, they must work under close supervision at all times until the results are returned, reviewed and approved by Human Resources: This includes granting access to systems or issuing electronic access orkeys.
- Students must complete the CBC self-disclosure form by the end of their first day of employment, or their employment will be frozen the following day (second day of employment). If a student is frozen, they cannot work again until the CBC self-disclosure form is completed. Human Resources will review the self-disclosure form before the student starts, if the CBC results are not back at that time. Students will need to remain closely supervised until the results are approved by HumanResources.
- If the student has not completed the self-disclosure form within two weeks of their start date, their employment will be terminated under the assumption that the student is no longer interested in working for University Housing.

### Communication

- Students will be invited by HR and a third party vendor to complete the self-disclosure form (in most cases electronically) within 48 hours of receiving an email notification that a CBC is required.
- An electronic email reminder is sent by the vendor to all students who have not completed the self-disclosure form on business day 2, 7, and 12.  
A reminder email will be sent by HR giving a final deadline date for completion (deadline of one week prior to the start date) and indicate the student cannot work past their orientation (first day of employment) if the self-disclosure form is not done by that date. The supervisor will be

copied on that email. HR will provide managers a final list of who has not completed the self-disclosure form prior to orientation, so they can follow up.

If students do not complete their self-disclosure form by the end of the first day of work, their employment will be frozen and they cannot return to work until their form is complete. HR will communicate this to supervisors by the end of their first day of work and supervisors must inform the employee.

## HR PROCEDURES

### Tracking CBCs and Communicating Results

- Student CBC progress and completion will be tracked by HR.
- HR will communicate if the CBC self-disclosure form isn't complete to both the student and supervisor prior to the employee's start date.
- If CBC results are not complete by the start date of an employee, HR will review the self-disclosure form to see if the student has disclosed anything.
- Once CBC results are reviewed by HR, HR will communicate to the supervisor if the student has passed the CBC.
- If CBC results are reviewed and it is deemed that the student cannot continue to work in their position, the student and supervisor will be notified immediately and employment will be terminated.

### Electronic CBCs

- All student CBCs (with the exception of minors and caregivers) will be initiated electronically.
- For all electronic CBCs, an electronic folder will replace the physical CBC folder. The electronic forms should be saved electronically in the folder. Minor forms can be saved electronically as well. Caregiver forms should remain in physical folders.

### Housing HR Checks

As of March 17, 2016, Housing only utilizes the campus CBC vendor to run criminal background checks for all students. Housing will not run CCAP, WI DOJ & US DOJ checks on students, unless results show up the criminal background check results or if the applicant self discloses incidents and they start working prior to the campus vendor CBC results returning. International students will be run as an international applicant.

HR will run a "UW Madison Current Employee in a Position of Trust" background check instead of the standard check on current students in a position of trust moving to another position of trust. This includes students in positions of trust with access to vulnerable populations. The "UW Madison Current Employee in a Position of Trust" check is an expedited criminal background check that searches the last four years.

### Position Description & Appointment Letter Verbiage

All positions requiring a background check will state "Successful completion of a criminal background check is required" in the position description and in advertisements.

The following verbiage will be written in the appointment letter: Continued employment is contingent upon successful results of a criminal background check, and your criminal background remaining in its current status.

Access to Vulnerable Populations includes this paragraph:

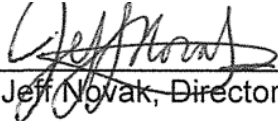
Your position has been identified as a Position of Trust with Access to Vulnerable Populations, as defined by the UW Madison Criminal Background Check Policy. As a result, a criminal background check will be conducted every four years. Also, you are required to self-report any criminal arrests, charges, or convictions to the University Housing Human Resources Director within 24 hours or at the earliest possible opportunity. Failure to self-report constitutes a violation of this policy.

If you have any questions about the Criminal Background Check Policy, please contact Brenda Krueger, Director of Human Resources, at 608-262-6112 or [brenda.krueger@housing.wisc.edu](mailto:brenda.krueger@housing.wisc.edu).

**Other Related Policies**

UW Madison Criminal Background Check Policy and Procedures

Prepared by University Housing Human Resources

Approved:   
Jeff Novak, Director