

University Policy 3301: Criminal Background Checks

Category: Human Resources

Sub Category: Employment

Covered Individuals: All USU Employees and Volunteers

Responsible Executive: Vice President for Finance and Administrative Services

Policy Custodian: Human Resources

Last Revised: 2025/11/03

Previous USU Policy Number: 386

3301.1 PURPOSE AND SCOPE

This policy promotes a safe environment by providing specific requirements for conducting [Criminal Background Checks](#) of certain prospective and existing [Employees](#) and [Volunteers](#) of Utah State University.

3301.2 POLICY

2.1 Criminal Background Checks will be performed:

- 2.1.1 After an offer of employment has been accepted;
- 2.1.2 When a current employee/volunteer moves into a [Security Sensitive Position](#) or a position with significant contact with [Minors](#);
- 2.1.3 For [Reasonable Cause](#).

2.2 Section 2.1 applies to the following groups or individuals:

- 2.2.1 All benefit eligible employees;
- 2.2.2 All persons employed by USU in a teaching capacity including, but not limited to, adjunct, temporary, and concurrent enrollment faculty, professors, instructors, and lecturers;
- 2.2.3 Graduate students acting as teaching, laboratory, and/or research assistants;
- 2.2.4 Any employees/volunteers with significant contact with minors; and
- 2.2.5 Any employees/volunteers in security sensitive positions. Any employee/volunteer in a security sensitive position with financial responsibility over funds of the University may also be required to submit to a financial/credit check.

3301.3 RESPONSIBILITIES

3.1 Human Resources

Manages the background check process for all employees/volunteers.

3.2 [Background Review Committee](#)

Reviews background checks with questionable results.

3301.4 REFERENCES

- [Utah Board of Higher Education Policy R165. Concurrent Enrollment](#)
- [Utah Code 53H-3-402 Higher Education Criminal Background Checks](#)

3301.5 RELATED USU POLICIES

- [Policy 2403: Protection of Minors](#)
- [Policy 3017: Volunteer Services](#)

3301.6 DEFINITIONS

6.1 Background Review Committee

This committee consists of representation from General Counsel, Human Resources, and Public Safety. The committee reviews the results of criminal background checks where prior convictions exist, assesses the risk to the University, and determines whether an individual should be considered eligible to obtain or retain a position.

The Background Review Committee may delegate initial review, where appropriate.

6.2 Criminal Background Check

A commercial or governmental process of searching public records to determine whether an individual has been convicted of criminal conduct within a minimum of the last seven years.

6.3 Diminished Capacity Adult

A person who lacks decision-making capacity, which requires: (1) possession of a set of values and goals; (2) the ability to communicate and to understand information; and (3) the ability to reason and to deliberate about one's choices.

6.4 Employee

An individual who has received and accepted a legitimate offer of employment from an appropriate hiring authority.

6.5 Minor

For the purposes of this policy, Utah Code §53H-3-402 (1) defines a minor as a person younger than 21 years of age.

6.6 Positions with Significant Contact with Minors

Any position which involves working with a Covered Program as defined in USU Policy 2403: Protection of Minors.

6.7 Reasonable Cause

May exist with respect to a position or with respect to an individual. As to a position, reasonable cause exists such that a periodic criminal background check for any employee holding a security sensitive position is warranted. As to an individual, reasonable cause exists where the known facts or circumstances about a particular employee are sufficient to warrant, by a person of reasonable prudence, that the employee poses an unreasonable risk to persons or property and/or that a history or

report of crime will be found.

6.8 Security Sensitive Positions

Positions whose duties require, provide for, or encompass the potential to incur human, financial, or property loss or harm to the University and its constituents. A security sensitive position includes at least one of the following elements:

- i. Access to minors, including child care in a child care center or to [Diminished Capacity Adults](#).
- ii. Relationships with students where exceptional trust and responsibility are involved, such as instructors, counselors, health care providers, coaches, and residence hall personnel;
- iii. Responsibility for providing direct medical care, treatment, or counseling and/or access to pharmaceuticals, toxins, hazardous, or controlled substances;
- iv. Direct access to laboratory materials and other property that have the potential of being diverted from their proper use either for financial gain or for harmful, dangerous, or illegal purposes;
- v. Decision-making authority for committing University funds or financial resources through contracts and commitments and/or direct access to or responsibility for handling cash, checks, credit/debit cards, or cash equivalents, University property, disbursements, or receipts;
- vi. Access to building and residence hall master control and key systems;
- vii. Access to confidential information or sensitive personal information such as employment, health, donor, financial, and other records, including data that could facilitate identity theft;
- viii. Access to and responsibility for the maintenance, upgrading, and repair of the University's computer networks and/or information technology systems; and
- ix. Responsibility for police, security guards, and other significant health or safety issues.

6.9 Volunteer

An individual providing volunteer service to USU as defined in USU Policy 3017: Volunteer Services.

Information below is not included as part of the contents of the official Policy. It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the President, subject to review by the USU Policy Committee.

RESOURCES

Contacts

- [Senior Associate Vice President of Human Resources](#)

POLICY HISTORY

Original issue date: 2008/10/17

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