BACKGROUND CHECKS FOR VANDERBILT FACULTY

Purpose and Scope

Vanderbilt University is committed to providing a safe and secure environment for the campus community in support of its educational, research and health care missions. In particular, the University desires to focus on vulnerable members, such as minors and those receiving medical treatment, in order to enhance the safety and security of the Vanderbilt community as a whole. This policy is intended to help the University achieve that goal by requiring the use of background checks in the hiring process for all faculty members, for those faculty members who interact with minors in their Vanderbilt duties, and as a part of the credentialing process for all faculty members with clinical privileges. Background checks of other faculty members may be performed based on their duties and responsibilities.

Policy

Vanderbilt University requires background checks for all newly hired faculty members and for current faculty members who interact with minors in their Vanderbilt duties or are required to maintain clinical privileges as a condition of initial and/or continued employment. Background checks shall be required prior to employment (post-offer, pre-employment), for all prospective full and part-time faculty members and for those volunteer faculty members who will interact with minors and/or care for patients as a part of their role. Offers of employment for new faculty members will be made contingent upon completion of the background check process and a determination that the results of that check are satisfactory to Vanderbilt. Faculty members who have a break in employment (or interruption in service for volunteer faculty) of more than twelve (12) months must have a background check when they return under the same conditions as new faculty members. A background check may be required for internal/current faculty members changing positions/departments due to a promotion, reassignment, or change in status, unless the person has already had a background check which is specific to the newly assumed position.

The background check includes: address verification; social security number check; military history; a county, statewide and federal criminal records search; search of sex offender registries; and examination of state and federal debarment lists. A more comprehensive background check may be required pursuant to a University administrative decision, local, state or federal law, or for certain sensitive positions. In addition, Vanderbilt may conduct periodic verifications/updates of these checks as deemed appropriate by the Provost or the Vice-Chancellor for Health Affairs or their designees. Vanderbilt will conduct periodic background checks on faculty members who interact with minors as part of their Vanderbilt duties.

Self-Disclosure

There is an affirmative duty for all current faculty members to notify their Dean of arrests and the disposition of any outstanding charges within three business days after the initial background check has been completed and to cooperate in providing information necessary to evaluate the circumstances of the
arrest and charges. There is also an affirmative duty for faculty to report any adverse information resulting from subsequent criminal background checks obtained at any practice site within three business days and to cooperate in providing information necessary for evaluating the circumstances of the adverse information. Likewise, faculty members have a duty to disclose within three business days any protective orders related to a criminal charge.

Faculty members who have a break in service of less than twelve (12) months must disclose any convictions that occurred during the break within three business days of returning to University employment.

Confidentiality

All investigations and records are reviewed and handled in a confidential manner and in compliance with all applicable federal, state, and local laws, including the Fair Credit Reporting Act (FCRA). The background check results will be shared with the Vice Provost for Faculty (University Central faculty members) or the Associate Vice Chancellor for Health Affairs/Senior Associate Dean for Faculty Affairs (Medical Center faculty members), as well as other authorized individuals upon a determination that they need to know the information in order to perform their official duties.

Background Check Review

The Vice Provost for Faculty and the Associate Vice Chancellor for Health Affairs/Senior Associate Dean for Faculty Affairs will establish guidelines consistent with this policy for the administration of these checks and the review of criminal background check results.

If no adverse information is reported in a background check, satisfactory completion will be recorded by the University. If adverse information is reported, further review will be conducted. For University Central faculty, the Vice Provost for Faculty and the appropriate Dean will review background check results. For Medical Center faculty, the Associate Vice Chancellor for Health Affairs/Senior Associate Dean for Faculty Affairs and the appropriate department chair in the School of Medicine or the Dean of the School of Nursing will review the background check results. In the case of a faculty member with an appointment in more than one school, all necessary persons will be included in the review. The Office of the General Counsel and/or Vanderbilt University Police Department will provide advice and consultation as requested.

A previous conviction will not automatically disqualify a prospective or current faculty member from employment with the University. The persons listed above will review factors including but not limited to: failure to self-disclose the criminal history, inconsistency of self-reported information as compared to the criminal records/background report, the nature and seriousness of the offense, the circumstances under which the offense occurred, relationship between the duties to be performed and the offense committed, the age of the person when the offense was committed, whether the offense was an isolated or repeated incident, the length of time that has passed since the offense, past employment and history of academic or
disciplinary misconduct, evidence of successful rehabilitation, whether there is a statutory prohibition related to the offense, and the accuracy of any information provided.

If there is a recommendation to withdraw a conditional offer of employment, or if there is other adverse action recommended, the Provost or Vice Chancellor for Health Affairs, as appropriate, will make the final decision.

In compliance with the Fair Credit Reporting Act (FCRA), the Vice Provost for Faculty or the Associate Vice Chancellor for Health Affairs/Senior Associate Dean for Faculty Affairs or their designees will notify the prospective or current faculty member if information obtained from the background check may be used, in whole or in part, in the decision to deny employment or as the basis for any adverse employment action. Any disciplinary action involving a current faculty member would proceed pursuant to the Faculty Manual.

Prospective and current faculty members who fail to disclose criminal convictions, misrepresent or fail to provide accurate details regarding criminal convictions, and/or fail to cooperate in the background check process may have their conditional offer of employment withdrawn and/or may be subject to disciplinary action under the Faculty Manual.

Subsequent Verifications

A background check may be requested or performed after the initial check covered by this policy in accordance with applicable policies, procedures or practices of the University, the Schools, or the clinical sites.

Vanderbilt University reserves the right, at its sole discretion, to amend, replace, and/or terminate this Policy at any time.

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Approved by:  Jeffrey R. Balser, M.D., Ph.D., Vice Chancellor for Health Affairs  
               Richard C. McCarty, Ph.D., Provost

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