



Background Check

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Scope

This policy applies to all regular, temporary, and on-call employees, including those in faculty, academic, administrative, managerial/professional, office and service positions at the University of Nebraska at Omaha (“UNO” or “University”). It also covers student employees, volunteers, and contractors or affiliates performing services on behalf of UNO who will have access to keys or prox cards, interacts and/or works with minors and/or the public, has access to sensitive campus areas (e.g., residence halls, labs, childcare, cash-handling), or handles money or budgetary transactions on behalf of the University. Certain positions or affiliations may require additional background checks, certifications, or history review processes based on the nature of the duties.

Policy Statement

As part of its ongoing efforts to provide a safe and secure environment for students, faculty, staff, and visitors, and to safeguard University property and assets, UNO requires background checks on faculty, staff, administrators, leaders, employees, volunteers, and others to assess suitability for employment or affiliation. A background check shall be performed prior to placing a candidate into any position covered by this policy. Offers of employment are contingent upon successful completion of a background check.

Human Resources (HR) is responsible for implementing and administering this policy in compliance with all applicable federal and state laws, including the Fair Credit Reporting Act (FCRA), and consistent with UNO and University of Nebraska system (“NU”) practices.

Reason for Policy

This policy ensures consistent and lawful administration of criminal history and related background checks for candidates employed by or affiliated with UNO. It promotes campus safety, mitigates institutional risk, and ensures compliance with federal and state laws and University policy. It also establishes clear procedures when HR advises against hire, but a business unit seeks to proceed.

Procedures

1. Components of the Background Check

UNO utilizes a third-party vendor to conduct the criminal background check, and the process shall comply with the applicable requirements of the FRCA. UNO's standard background checks that will be performed prior to employment (both internal and external):

- Criminal History (statewide and federal)
- National Sex Offender Registry (checked annually for all UNO employees)
- Applicant/Candidate History Trace for SSN verification;
- Multi-court Jurisdictional Database search;
- Global watchlist report; and/or
- Driving, credit, or professional licensing history where it is job-related.

As indicated in the job description, the following checks may be performed as necessary:

- For any positions involving money handling, budgetary oversight, regular cashiering responsibilities, or which are deemed to have a high level of access to University accounts, a credit check will be conducted. If a UNO position utilizes a University purchasing card, and such card is reconciled on a regular basis, a credit check shall not be required.
- A motor vehicle history check or report will be obtained for any position in which driving a University vehicle or driving a personal vehicle for University business is an essential function.
- For employment in childcare or youth-serving positions, checks of both the child abuse and sex offender registries, coupled with national and state fingerprinting, shall be required.
- Fitness-for-duty and/or pre-employment drug tests may be required for certain positions with physical and/or security sensitive requirements.
- Positions in public safety will conduct all necessary background checks pursuant to federal and state law enforcement requirements.
- Additional records and/or checks including but not limited to reviews of educational history, employment history, and other reliability/trustworthy assessments, may be reviewed based on the job position's essential functions and requirements.

Current UNO and/or NU system employees that are promoting or transferring into vacant or new UNO positions are subject to completing a new background check appropriate to their position, unless a comparable background check has been completed in the preceding twelve (12) months prior to the effective date of the promotion or transfer.

Department-Specific Background Checks: Some UNO departments may utilize external vendors or affiliated organizations as part of a candidate recruitment and hiring process which includes them conducting background checks as part of their regulatory or contractual obligations. If HR determines that the background check conducted by an external entity meets or exceeds the standards outlined in this policy, UNO will accept that background check in lieu of the standard check conducted by the University's third-party vendor. HR must obtain and retain a copy of the external background check report in accordance with the confidentiality and recordkeeping provisions of this policy. If HR determines that the external check is insufficient or incomplete, the candidate must undergo the standard UNO background check before employment may commence.

2. Processing of Background Checks

HR will be responsible for developing procedures for the administration of the criminal background check process. As part of this responsibility, HR shall coordinate all background checks, secure candidate consent, and maintain, potentially with the assistance of a third-party vendor, such reports including any criminal conviction information as confidential records separate from a candidate's file or the employee's personnel file. Hiring Departments are responsible for any associated costs.

To be considered for an appointment, each selected candidate must provide information about their criminal conviction record using the University's prescribed form. A candidate who refuses to consent to a required criminal background investigation, refuses to provide information necessary to conduct the background investigation, or omits, conceals and/or provides false or misleading information regarding the criminal background investigation will be determined ineligible for placement into a covered position.

If the candidate is a current employee, any omission, concealment, and/or attempt to provide false or misleading information in regard to the criminal background investigation will subject the employee to appropriate administrative action up to and including termination of employment. A current employee who refuses to consent to a required criminal background investigation or refuses to provide information necessary to conduct the background investigation will be determined to be ineligible for placement into a position.

3. Evaluation of Background Check Results

Background checks and any discovered criminal conviction information will be used solely for the purpose of evaluating a candidate (both external and internal) under final consideration for employment in positions. The information will not be used to discriminate based on the requirements of federal, state, and local ordinances and laws. HR shall review all results from a candidate's criminal history/background information, with consideration given but not limited to:

- Significance of the information obtained;
- The number of criminal offenses;
- The nature and gravity of each underlying offense;
- The extent to which each offense or content relates to the duties and responsibilities of the position;
- Mitigating evidence or rehabilitation factors;
- The length of time that has elapsed since each offense was committed or the resultant sentence was completed; and
- Other relevant information.

UNO retains the right to make the final determination as to how information obtained during a background check will be considered or how it will impact the assessment of the candidate's suitability for the employment or affiliation with UNO. Information obtained about a candidate's past criminal record, whether disclosed or undisclosed, may be used as part of that assessment. Criminal offenses allegedly committed by a candidate currently under investigation by law enforcement officials or which have resulted in pending criminal charges may be considered as well if they are appropriately related to or impact the candidate's suitability for the position.

A criminal record does not automatically disqualify a candidate from being employed or affiliated with UNO. Candidates with a history of felony violence or any misdemeanor and/or felony sexual offenses shall be, ordinarily, disqualified from employment consideration.

4. Individualized Assessment Process

When a conviction appears in a candidate's background check, HR will notify the candidate and provide:

- A copy of the background check report;
- A written summary of their rights under the Fair Credit Reporting Act (FCRA); and
- Information on how to correct or dispute inaccurate or incomplete records with the reporting agency.

Candidates will also be given the opportunity to demonstrate their suitability for employment through an Individualized Assessment process. The assessment may include, but is not limited to:

- Evidence of rehabilitation or good conduct since the conviction;
- Employment or educational history following the conviction;
- Character references or professional endorsements; and
- Any other information the candidate wishes to provide that relates to their fitness for the position.

The candidate shall submit their assessment and supporting materials to HR within five (5) business days of notification of the background check results.

5. HR Review – Proceed or Recommendation Not to Hire

HR will evaluate the assessment and may consult with the Office of General Counsel as appropriate. Additionally, HR may share relevant portions of the candidate's Individualized Assessment with the Hiring Department's senior leader and/or Hiring Manager, only to the extent necessary to evaluate job-relatedness and risk mitigation. Any shared information will be handled confidentially and in compliance with applicable privacy laws, University policy, and best practices.

HR, working with the Hiring Department and, if necessary, the NU Office of General Counsel, shall evaluate and consider the potential risks and job-relatedness of each conviction in relation to the appointment being considered, including reviewing the candidate's Individualized Assessment. HR may issue a formal Recommendation Not to Hire if the information and records reviewed present any risks to campus safety or is materially relevant to the position. As appropriate, HR may consult with UNO Public Safety solely for risk-mitigation planning related to workplace safety; such consultation shall not involve disclosure of background check reports or any consumer information governed by the FCRA.

If the Hiring Department wishes to proceed with hiring the candidate, despite HR's Recommendation Not to Hire, then a meeting shall be held with the Hiring Department's Senior Leader, the person seeking to hire the candidate from the Hiring Department, the Assistant Vice Chancellor for Human Resources, and a designee from the Human Resources Department Talent Acquisition Division. This group shall meet to review and discuss the candidate background check, Individualized Assessment, HR's recommendation, and any other job-relevant information. All information shared and reviewed in that meeting will be used only to the extent necessary to evaluate job-relatedness and risk mitigation. Any shared information will be handled confidentially and in compliance with applicable privacy laws, University policy, and best practices. After reviewing the information, this group may collectively authorize the hire to proceed against HR's recommendation. Such decision must be documented in writing and retained by HR, including the rationale and risk mitigation steps (e.g., restricted access, probationary review). A listing, with the documented rationale, of all candidates hired against HR's recommendation shall be reported annually to the Vice Chancellor for Business and Finance. If the group does not reach unanimous agreement to proceed against HR's Recommendation Not to Hire, the recommendation shall stand, and the hire may not move forward.

6. Confidentiality and Candidate Rights

All background check information is confidential and may only be shared with individuals who have a legitimate business need to know. Prior to an adverse employment decision, HR will provide the candidate with a copy of the report, a summary of rights under the FCRA, and the name and contact information of the reporting agency. Candidates may dispute inaccurate information, and UNO will allow at least five (5) business days for resolution before taking final action. Additionally, candidates who dispute the accuracy of a background check report or wish to provide information demonstrating their suitability for employment may do so through the Individualized Assessment process described in this policy. HR will maintain all related records in a confidential file, separate from personnel files, and share them only with University officials who have a legitimate business need to know.

7. Duty to Notify

All UNO employees, regardless of the position occupied, must notify HR in writing, specifically the Assistant Vice Chancellor of Human Resources, within three (3) calendar days of any:

- Felony or misdemeanor arrests,
- Felony or misdemeanor convictions, and/or
- Pleas of guilt or acknowledgement of responsibility for a felony or misdemeanor criminal offense (e.g., a plea of guilty and/or no contest).

Failure to self-report may result in disciplinary action up to and including termination.

In addition, the University retains the right to conduct a background check when learning of a University employee's felony or misdemeanor arrest, conviction, or plea of guilty/acknowledgement of responsibility for a felony or misdemeanor criminal offense. All candidates and employees being placed into University positions shall sign a release granting UNO permission to conduct such background checks before and during their time of employment with the University.

Definitions

Adverse Employment Action: A denial or withdrawal of employment, promotion, or continued employment based on information obtained through a background check or related process.

Background Check: Review of criminal, employment, education, or other records relevant to assessing a candidate's suitability for employment or volunteer service.

Candidate: Any applicant, current employee, or volunteer under consideration for a position covered by this policy.

Confidential Information: Data, records, or reports obtained or generated as part of the background check process that are maintained by HR (or with a University third party vendor) in a secure manner and disclosed only to University officials who have a legitimate business need to know, consistent with applicable privacy laws and University policy.

External Background Check: A background screening conducted by an external entity or affiliate (e.g., Athletics or Public Safety) that meets or exceeds UNO's minimum standards as verified by HR.

Fair Credit Reporting Act (FCRA): A federal law that regulates how consumer information, including background check reports, may be collected and used by employers. The FCRA ensures that candidates are informed when background checks are conducted, have the right to review their report, and may dispute inaccurate or incomplete information.

Hiring Department: The representative for a University business unit, department, division, or college, who is overseeing and administering the process for their respective work area to fill a vacant or new position. Most often this representative will be either the direct supervisor of the candidate, or the candidate is a subordinate to this representative.

Individualized Assessment: A process by which a candidate is provided an opportunity to present evidence of rehabilitation, accuracy, or other mitigating factors following the discovery of a criminal conviction in their background check. The assessment is reviewed by HR and may be shared with hiring leadership, consistent with confidentiality and applicable law.

Recommendation Not to Hire: A formal HR determination that a candidate's background presents a risk that is sufficient to advise against hire or continued employment.

Senior Leader: The Dean, Vice Chancellor, Assistant Vice Chancellor, or Associate Vice Chancellor who either completely oversees the Hiring Department or is a top-level leader of such work area.

Additional Contacts

<i>Subject</i>	<i>Contact</i>	<i>Phone</i>	<i>Email</i>
Background d Checks	Rachel Radel Manager of Employee Relations, Development & Talent Acquisition	402.554.3668	rradel@unomaha.edu
Duty to Notify	Steve Kerrigan Assistant Vice Chancellor of Human Resources	402.554.3998	stevenkerrigan@unomaha.edu
Legal Consultati on	Office of General Counsel	402.472.1201	generalcounsel@nebraska.edu

Forms

Recommendation Not to Hire

Related Information

[Youth Activity Safety Policy](#)

History

December 16, 2025: Proposed draft policy revision. Current policy may be found at the following link:
<https://www.unomaha.edu/campus-policies/background-check.php>

This policy was developed and approved prior to the implementation of the campus policy development and approval process approved by the Chancellor's Cabinet in October 2015. The policy was reviewed and updated, pursuant to policy review guidelines, in November 2025.

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