

St. Mary's College of Maryland

Criminal Background Check and Credit History Check Policy

Effective Date: November 1, 2026

Responsible Executive: Vice President for Business & Finance

Responsible Office: Office of Human Resources

Policy Summary

St. Mary's College of Maryland ("the College") is committed to maintaining a safe, secure, and trustworthy environment for students, employees, visitors, and the broader campus community. To support this commitment, the College conducts criminal background checks and, where appropriate, credit history checks on individuals being considered for employment and other affiliated positions.

Background screening is intended to promote campus safety, protect institutional resources, reduce organizational risk, and support informed employment decisions while ensuring compliance with applicable federal and state laws.

The College recognizes the importance of fair hiring practices and will evaluate criminal and credit history information only when it is job-related and consistent with business necessity. Information obtained through a background check or credit history check will not automatically disqualify an individual from employment. The College will conduct an individualized assessment that considers the nature and gravity of the offense, the time elapsed since the offense, evidence of rehabilitation, and the relationship of the conviction to the responsibilities of the position.

Purpose

The purpose of this policy is to promote a safe and secure campus environment while balancing the privacy and fair employment rights of applicants and employees. Criminal background and credit checks are intended to reduce institutional risk; protect students and employees; safeguard college resources and confidential information; comply with legal and regulatory requirements; ensure fair, consistent, and legally compliant hiring practices; and provide a framework for evaluating criminal and credit history information through individualized assessments.

Scope

This policy applies to regular faculty and staff positions, contractual employees, temporary and student employees whose duties involve access to minors, residence halls or private living areas, significant financial responsibility, sensitive personal or institutional information, or when required by law, regulation, grant requirements, institutional risk assessment, or otherwise determined necessary by the College.

Equal Employment Opportunity and Fair Hiring

The College evaluates criminal and credit history information in accordance with applicable federal and state laws, including:

- Equal Employment Opportunity Commission (EEOC) guidance;
- Fair Credit Reporting Act (FCRA);
- Maryland employment laws and regulations;
- Other applicable federal and state requirements.

Such information will be evaluated through the individualized assessment applicable to the criminal history or credit history set forth below.

The College recognizes the importance of fair hiring practices and evaluates criminal and credit history information only when it is job-related and consistent with business necessity.

Positions Subject to Background Checks

- All regular faculty and staff positions;
- Contractual employees;
- Temporary employees where appropriate;
- Student employees in designated programs;
- Volunteers or affiliates when required by law or institutional risk assessment.

Background checks consist of:

- Criminal background checks;
- Sexual offender registry checks;
- Employment history checks, including verification of employment references;
- Student employees in designated programs;

Additionally, depending on the duties and risks of the position, further job-related screening may be required, including, as appropriate, verification of educational degrees; academic transcripts, licenses, and/or certifications; credit reports; motor vehicle checks; social security reports; examination of federal debarment lists; and/or drug screenings.

Examples include, but are not limited to:

- Access to minors;
- Residence Hall access;
- Fiduciary or financial authority;
- Access to sensitive institutional or personal data;
- Public safety responsibilities;
- Access to controlled substances or secured facilities;
- Operation of College vehicles;
- Significant fiduciary responsibilities.

Positions Subject to Credit History Checks

Credit history checks may be conducted for positions involving fiduciary responsibility or significant financial authority.

Examples include, but are not limited to:

- Vice President for Business & Finance;
- Controller and Finance Office staff;
- Payroll personnel;
- Human Resources personnel with payroll authority;
- Procurement and purchasing personnel;
- Financial Aid personnel;
- Advancement and Foundation personnel with financial authority;
- Employees authorized to approve expenditures;
- Employees authorized to establish or modify financial controls;
- Employees with access to institutional banking information;
- Employees with significant cash handling responsibilities;
- Positions designated by Human Resources and the Vice President for Business & Finance as requiring a credit history review.

Credit history checks shall be conducted only when job-related and consistent with business necessity.

Responsibilities

Hiring Departments

- Identify positions requiring background or credit history checks;
- Ensure position announcements communicate screening requirements;
- Notify candidates that offers are contingent upon successful completion of required screenings;
- Maintain confidentiality of applicant information;
- Consult with Human Resources regarding position sensitivity.

Office of Human Resources

- Administer and coordinate screening processes;
- Ensure compliance with applicable laws and regulations;
- Maintain confidential screening records;
- Coordinate individualized assessments;
- Provide required notices under applicable law;
- Facilitate Review Committee meetings and documentation.

Criminal Background and Credit History Review Committee

The Criminal Background and Credit History Review Committee shall conduct individualized assessments when potentially disqualifying criminal or credit history information is identified.

Standing Members

- Associate Vice President for Human Resources (Chair)
- Investigator and Hearing Officer
- Hiring Division Vice President (or designee)
- Chief of Public Safety (or designee)

Ad Hoc Members

The following individuals may participate or consult Review Committee when appropriate:

- Controller or Director of Finance (for positions requiring credit history review)
- Assistant Attorney General (advisory capacity)
- Other subject matter experts as determined necessary

Committee Responsibilities

The Committee shall conduct an individualized assessment of the Criminal History/Convictions:

- Nature and seriousness of the offense;
- Duties and risks associated with the position;
- Time elapsed since conviction, sentence completion, and/or probation;
- Number and frequency of offenses;
- Evidence of rehabilitation;
- Employment history since the offense;
- Accuracy of the information;
- Relationship between the conviction and position responsibilities.

Arrests not resulting in conviction generally will not be considered in employment decisions. Pending criminal matters may be reviewed only to the extent legally permissible and relevant to workplace safety or operational risk.

The Committee shall conduct an individualized assessment of the Credit History:

- Nature and severity of the financial issue;
- Time elapsed since the occurrence;
- Evidence of repayment, rehabilitation, or financial recovery;
- Accuracy and completeness of the report;
- Relationship of the information to the responsibilities of the position;
- Whether the information creates a material risk to the College's financial interests;
- Mitigating circumstances presented by the applicant.

Credit history information alone shall not automatically disqualify an applicant from employment.

Committee recommendations shall be forwarded to the Office of Human Resources for implementation.

Initiating Background and Credit History Checks

Background and credit history checks are initiated after a contingent offer of employment has been extended and accepted. Employment may not begin until required screenings are completed, unless an exception is approved by the Vice President for Business & Finance or designee based on operational necessity.

When exceptions are granted, temporary work restrictions may be imposed pending final clearance.

Conducting Background Checks

The College may utilize authorized third-party vendors, state agencies, and/or law enforcement entities to conduct criminal background checks consistent with applicable law.

Candidates may be required to complete disclosure and authorization forms and, where required by law or position requirements, fingerprinting procedures.

The Office of Human Resources will coordinate all required screening procedures.

Conducting Credit History Checks

Credit history checks shall be conducted only for positions identified under Positions Subject to Credit History Checks section of this policy.

Credit history information shall be evaluated only to determine suitability for positions involving fiduciary responsibility or financial trust.

The College shall not use credit history information in a manner inconsistent with applicable law.

Applicant Rights and FCRA Compliance

When information obtained through a background check or credit history report may negatively affect employment eligibility, the College will comply with applicable Fair Credit Reporting Act requirements, including:

- Providing a pre-adverse action notice;
- Providing a copy of the report;
- Providing a summary of rights under the FCRA;
- Allowing the individual a reasonable opportunity to dispute or explain the information;
- Providing final adverse action notice when applicable.

Appeal Process

Applicants who believe criminal background check or credit history information was inaccurate, incomplete, improperly considered, or not evaluated in accordance with this policy may submit a written appeal within ten (10) business days of receiving notice of the employment determination.

Appeals shall be submitted to the Vice President for Business & Finance.

The Vice President for Business & Finance shall not have participated in the Review Committee's determination and may consult with Human Resources, Public Safety, Legal Counsel, or other appropriate officials.

The Vice President for Business & Finance shall issue a written determination.

The decision of the Vice President for Business & Finance shall be final.

Confidentiality and Records Retention

Criminal background check and credit history information will be maintained separately from personnel files and accessed only by individuals with a legitimate business need.

The College will maintain and dispose of records in accordance with applicable records retention requirements, privacy standards, and legal obligations.

Periodic or Additional Background Checks

The College reserves the right to conduct additional or periodic background checks, credit history, or other pertinent checks for positions involving:

- Significant fiduciary responsibility;
- Access to minors;
- Regular use of college vehicles;
- Professional licensure;
- Public safety functions;
- Regulatory compliance requirements;
- Significant changes in job responsibilities;
- Other circumstances determined necessary to protect the interests of the College.

Such checks shall be conducted in accordance with applicable law and this policy.

St. Mary's College of Maryland

Fair Credit Reporting Act (FCRA) Disclosure

In connection with your application for employment, promotion, transfer, reassignment, volunteer appointment, contractual appointment, or continued employment, St. Mary's College of Maryland ("the College") may obtain a consumer report and/or investigative consumer report for employment purposes.

Such reports may include information concerning criminal history, employment history, education, professional licenses, motor vehicle records, references, and credit history (for positions requiring fiduciary review).

The College will obtain and use such reports in accordance with the Fair Credit Reporting Act (FCRA), applicable Maryland law, and College policy.

ACKNOWLEDGMENT

I acknowledge receipt of this disclosure.

Applicant Name: _____

Signature: _____ Date: _____

St. Mary's College of Maryland

Authorization to Release Information and Background Screening Authorization

Applicant Information

Full Legal Name: _____

Other Names Used: _____

Date of Birth: _____

SSN: _____

Driver's License Number/State: _____

Current Address: _____

Employment/Education Verification Authorization

I authorize employers, educational institutions, references, licensing agencies, and other sources to release information relevant to my qualifications.

Criminal Background Check Authorization

I authorize the College and its agents to conduct criminal history screenings, including fingerprint-based checks when required.

Credit History Authorization

If the position involves fiduciary responsibility, I authorize the College to obtain a consumer credit report for employment purposes.

Certification

I certify the information provided is accurate and authorize the release of information described herein.

Applicant Signature: _____

Date: _____