

**BLACK HILLS STATE UNIVERSITY**  
**Policy and Procedure Manual**

SUBJECT: Employment Background Checks

NUMER: 4:4

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Office/Contact: Human Resources

Source: [SDBOR Policy 4.1.9](#), [SDBOR Policy 1.6.4](#)

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1. Purpose

This policy shall set forth the procedures at Black Hills State University to implement [SDBOR Policy 4.1.9](#) in regards to Employment Background Checks.

2. Definitions

- a. “Background Check” means the process of acquiring records regarding a final candidate that is used to determine suitability for employment. This may include, as defined by SDBOR Policy 4.1.9:
  - i. Credit History Check,
  - ii. Criminal History Check,
  - iii. Educational Verification,
  - iv. Employment Verification,
  - v. License Verification,
  - vi. Limited Criminal History Check,
  - vii. Limited Sex and Violent Offender Registry Check, and/or
  - viii. Sex and Violent Offender Registry Check.
- b. “Fair Credit Reporting Act” is the federal law that regulates collection, dissemination, and use of consumer credit information.
- c. “Final Candidate” is an internal or external applicant identified as the finalist for the position of employee or volunteer.

- d. “Satisfactory Background Check” is a background check that does not indicate any criminal record, information inaccuracies or discrepancies, or other position related concerns.

### 3. Policy

- a. All offers of employment, including transfers and promotions, for employees or volunteers with certain responsibilities in full or part-time student, volunteer, civil service, non-faculty exempt, and faculty positions (including interim or acting appointments) will be contingent on the successful completion of a background check conducted by the SDBOR’s identified vendor.
- b. Certain positions require credential, criminal and other background information verified as a condition of employment, volunteer status, or as required in [SDBOR Policy 1.6.4](#) (Minors on Campus).

### 4. Procedures

- a. The hiring unit will initiate recruitment effort and submit position duties information in accordance with applicable hiring procedures.
- b. Human Resources will determine appropriate background check requirements for the position in accordance with applicable law and job-related functions for the position in question and consistent with business necessity.
- c. Notice that a position requires a background check will be included in the job announcement.
- d. All offers for volunteer appointments, employment, or promotion where a background check is required, verbal or written, shall state: “This offer is contingent upon a satisfactory background check.”
- e. For senior level positions, Human Resources may run a background check on all finalists prior to on campus interviews.
- f. Human Resources will initiate the background check after the candidate has accepted the initial offer. The hiring proposal is then in a “Conditionally Hired” status. Candidate may not begin duties until Human Resources has received the results of the background check and given final approval of the candidate.

- g. The candidate must sign an appropriate electronic release for the background check. The Background Check Disclosure, Authorization, and Release form as well as the Summary of Your Rights under the Fair Credit Reporting Act will be used and applicable laws will be followed.
- h. Human Resources will review the final results of the background check and contact the hiring manager upon completion of the required background check.
  - i. Background check information is considered sensitive and confidential. Human Resources will only release results to hiring managers or administrators if there is a potential concern about the results of the background check in relation to the essential functions of the job and on a need-to-know basis.
  - ii. Upon receipt of a favorable background check, the hiring manager will be notified that the conditional offer may be confirmed.
  - iii. Upon receipt of information that gives rise to potential concern, Human Resources will notify the Final Candidate in conformity with applicable law, including notice of right to dispute the accuracy of reports.
    - 1. Final Candidate will be provided the opportunity to provide additional clarifying information.
    - 2. Human Resources and the hiring manager will evaluate each identified concern, including any additional information provided by the individual. Factors will be considered in conformity with applicable law and SDBOR Policy 4.1.9. As a conviction does not give rise to an automatic disqualification, consideration may include, but is not limited to, the nature and number of convictions, dates of convictions, and the relationship of the conviction to the duties and responsibilities of the position.
- i. The hiring department will be charged for the cost for the background check.

#### 5. Responsible Administrator

The Director for Human Resources is responsible for annual and ad hoc review of this

policy and its procedures. The University President is responsible for the approval of this policy.

SOURCE: Adopted by President 9/7/2021.Revised 2026.01.20