

Local Procedure 21: Selection and Appointment Reference and Background Checks and Misconduct Disclosure

September 2026

Summary

This Local Procedure expands on the University of California's Personnel Policy for Staff Members (PPSM)-21: Selection and Appointment policy by providing additional guidance on reference checks, background checks, and misconduct disclosure requirements.

Related Policies and References

1. [UC Anti Discrimination Policy](#)
2. [PPSM-21: Selection and Appointment](#)
3. [Local Procedure 21: Selection and Appointment](#)
4. [Local Procedure on Giving Employment References](#)

Definitions

1. **Applicant:** An individual who expresses interest in a specific open position by submitting an employment application or similar documentation via the established application process.
2. **Background Check:** The process of gathering and reviewing a candidate's records to determine their applicability to initial or ongoing employment. A background check may encompass a variety of verifications including, but not limited to employment history, criminal history, national sex offender search, education, credit history, driving history, credentials, or professional licenses report.
3. **Candidate:** An individual who meets the minimum qualifications for the position for which they applied.
4. **Consumer Reporting Agency:** A third-party vendor that collects information about a candidate from various sources and compiles a report used for employment purposes.
5. **Credit History Check:** The process of gathering and reviewing a candidate's comprehensive credit history.

6. **Criminal Background Check:** The process of gathering and reviewing a candidate's criminal record history, including any felony or misdemeanor convictions.
7. **Education Verification:** The confirmation that a candidate possesses the degree(s) from a verifiable institution, as listed on the employment application, resume, cover letter or other documentation provided by the candidate.
8. **Employment Verification:** The confirmation that a candidate's employment history as listed on the employment application, resume, cover letter or other documentation provided by the candidate is accurate.
9. **Fingerprinting:** The method is used to review a candidate's criminal record, including state and nationwide checks, based on the candidate's fingerprints.
10. **Government Security Clearance:** The determination that a candidate is eligible for access to classified information.
11. **Misconduct:** Any violation of the policies governing employee conduct at the applicant's previous place of employment, including, but not limited to, violations of policies prohibiting sexual harassment, sexual assault, or other forms of harassment or discrimination, as defined by the employer.
12. **Reference Check:** The process of obtaining information about a candidate's qualifications, performance, work experience, and conduct with previous employers, colleagues, clients or other professional contacts.

Reference Checks

1. Policy Background on Reference Checks
 - a. Prior to making an offer of employment, the hiring authority should contact the final candidate and inform them that they are moving to the next stage of the recruitment process, which includes checking references.
 - b. Candidates moving to the next stage should provide a minimum of two references familiar with their employment skills and qualifications. One of the references should be the candidate's former or current manager/supervisor; however, the candidate may request that their current supervisor not be contacted.
 - c. In situations where multiple offers may be made, or where there are two equally strong candidates, reference checks may be conducted on multiple finalists.
 - d. As a public employer, the university is bound by the provisions of the [California Information Practices Act of 1977](#). In most situations, the Act requires that information obtained from a reference check, including the source of the information, may not be withheld from the candidate and is to be released to the candidate upon request through SkillSurvey.

2. Process for Non-UC Employee

- a. An “[Authorization to Release Information](#)” form must be signed by the candidate.
- b. The receipt of the signed authorization form from the final candidate must be received prior to contacting current and or previous employers, if the department is not using SkillSurvey. If using SkillSurvey, the authorization form is within the system.
- c. All questions asked must be related to the job and linked directly to the position, responsibilities, and requirements, such as candidate’s skills, qualifications, and behaviors that are important to the hiring manager’s decision.

3. Process for Current or Former UC Employee

- a. If the candidate recommended for hire (final candidate) is a current or former employee of the UC, the hiring manager will be required to review the employee’s personnel file (see Staff Employment Misconduct Disclosure section).

4. File Review Process

- a. The hiring authority or designee should contact the finalist and notify them of the next step in the recruitment process, which is a file review and reference check.
- b. The hiring authority or designee will obtain the signed “Authorization to Release Information” form.
- c. Contact Talent Acquisition via the SmartSheet or the careers@ucr.edu email and the requestor will be connected with the last known department of employment.
 - File review may be completed by obtaining or sharing a copy of the file contents by email (scan/zip) or send a copy of the file via express mail (e.g., FedEx) or secure link to view a file (e.g., AODocs).
 - The other campus may provide an all clear instead of a file share, which is sufficient per UCR Employee and Labor Relations
- d. Upon completion of the file review, if you identify any questionable content, please consult with your UCR central Human Resources (CHR) Employee & Labor Relations (ELR) representative at employee.relations@ucr.edu.
- e. If there is no response after three (3) attempts, proceed with the hiring process.

5. On-line Reference Checking

- a. The university has a contract with SkillSurvey, an on-line applicant reference checking tool to conduct reference checks. It is used to survey reference feedback on approximately twenty (20) behaviors and skills that correlate to success in a given job type. For system access to SkillSurvey, the organizational unit will need to contact a talent acquisition representative in CHR.
- b. The candidate will be prompted to enter their professional references (minimum of two (2) supervisors/managers and up to five (5) references) directly into the SkillSurvey tool.

Once entered, an email notification is sent to each reference requesting their anonymous feedback.

- c. Under certain circumstances, if additional information is needed (e.g., low ratings on a particular skill or behavior), additional references may be contacted by entering their information into the SkillSurvey tool or by conducting a phone reference.
- d. Your department HR representative can assist with executing a SkillSurvey for your final candidate and/or contact your talent acquisition recruiter for any additional support.

6. Phone Reference Checks

- a. While it is highly recommended that hiring departments utilize the on-line SkillSurvey tool to conduct reference checks, certain circumstances may require the need to conduct references by phone. Prior to conducting a phone reference, review Appendix A for guidance.

7. Giving a Reference

- a. General guidance on responding to reference checks can be found on the HR website: [Local Procedure: Giving Employment References](#).

Background Checks

*For General Policy Guidance refer to [PPSM-21: Selection and Appointment](#) for additional content.

1. To minimize the risk to the University, a background check is required after the candidate has received a conditional offer of employment in a critical position. Prior to making a conditional offer of employment, locations must not consider an applicant's criminal history, including through questions in an employment application or internet searches. If an applicant voluntarily raises their criminal history prior to receiving a conditional offer, the university may not consider this or any other conviction history information until after making a conditional offer of employment, unless the position is with a criminal justice agency, a Farm Labor Contractor, or one that the university or university's agent is required by any state, federal, or local law to conduct criminal background checks for employment purposes or to restrict employment based on criminal history.
2. The type of background check required must be decided at the beginning of a recruitment and clearly written in the job posting.
3. Identification of Critical Positions
 - a. Critical positions are job duties, responsibilities, or functions (e.g., administrative, programmatic, managerial) with the potential to cause human, financial, property loss, or other significant risk to the university and its constituents.
 - b. All UC Health Medical Centers, Student Health Center, and Senior Management Group (SMG) positions are designated as critical and require criminal history background checks. The appropriate type of criminal background check must be properly identified on the basis of position duties and responsibilities criteria.
 - Non-UCR Employee Candidates

- hired into critical positions must pass a criminal history background check prior to commencement of the appointment.
- Current UC Riverside employees
 - who plan to move to a or another critical position will require a background check, unless the most recent check was conducted within the past six (6) months.
 - rehired into critical positions after a break in service of more than six (6) months or if no record of a prior background check exists, the candidate must complete a satisfactory background check.
- Transfer from Another UC
 - If a candidate is transferring from another UC campus to a critical position, a new background check is required.
- Rehired employees(including retirees)
 - If a former employee is rehired into a critical position they are subject to a background check if they:
 - have never had a background check completed by the university.
 - are rehired into critical positions after a break in service of more than six (6) months.

2. Types of Criminal Background Checks

a. Agency Check

- The UCR university currently contracts with an outside agency to perform criminal record search services, which may include international background screening.
- The agency background check performs a social security number trace to search for names and addresses associated with the social security number submitted by the applicant to conduct a criminal record search of the last seven (7) years (e.g., by jurisdiction, county, state and district).

b. California DOJ/FBI Fingerprinting Check

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- Effective December 31, 2023, California Department Of Justice (DOJ) restricted access to Federal Bureau of Investigation (FBI) national criminal records to the three (3) federal statutes: 1) Public Law 105- 277; 2) National Child Protection Act of 1993); and 3) Public Law 92-544.
- To align with penal code section 11105.3(a), UCR will only request from DOJ/FBI records of all convictions and arrests involving sex-related crimes, drug-related crimes, or violent crimes of a person applying for a license, employment, independent contractor, performance agreement or volunteer position (contingent workers) involving supervisory of or disciplinary power over, where the person will be caring for children, the elderly and disabled.
- This type of background check is administered by the State of California's DOJ to search statewide Criminal Offender Record Information (CORI) utilizing the Live Scan system to transmit fingerprints electronically to the DOJ database.

- c. For applicants applying for positions in the police department (campus safety), UCR will have access to the federal database for sworn officers in law enforcement positions that have a statutory requirement. If a FBI criminal background check is requested, the fingerprint images are forwarded to the FBI to perform a fingerprint-based search of

records in the national criminal history database.

- d. For applicants applying for positions in the Center for Early Childhood Education, a separate process will be followed. For information on this process, contact a CHR talent acquisition representative.
- e. The following matrix can be used to determine the type of criminal background check:

Type of Background Check to use	Critical Position Duties and Responsibilities	Candidate & Position Type	Requirement
Agency Check	Direct access to and/or responsibility for personal and university property (e.g., staff research associates, animal technician, auto technicians, fleet services, storekeeper), limited access to personal/institutional sensitive and or confidential information, access to cash or cash equivalents, authority for committing financial resources and enter into contracts and agreements. Direct access to and/or responsibility for building master keys, access/responsibility to controlled substances, information related to national security, sensitive and confidential personal/institutional information with universal access to confidential and personally identifying information, operating commercial vehicles,	New Hire: Casual/Restricted, Career (PSS & MSP), Contract, Limited, Volunteer, Affiliates Other: Transfer, promotion, lateral, rehire, demotion	Conduct Pre-hire Required if more than six (6) months since last criminal history check if moving to a critical.

	machinery or toxic systems that could result in accidental death, injury or health problems		
California DOJ/FBI	Involving supervisory or disciplinary power where the person will be caring for children, disabled and the elderly. Police Department - Sworn Officers	New Hire: Casual/Restricted, Career (PSS & MSP), Contract, Limited, Volunteer, Affiliates Other: Transfer, promotion, lateral, rehire, demotion	Conduct Pre-hire Required if more than six (6) months since last criminal history check if moving to critical.

3. Additional Types of Background Checks

- a. Positions that require a more stringent background check screening, departments must consult with Employee and Labor Relations (ELR) and explicitly state/list the requirements in the initial job posting.
- b. Additional types of background checks include, but are not limited to the following verification(s) and review(s):
 - Credit history check
 - Education Verification
 - Employment verification
 - Reference check
 - Motor Vehicle (DMV) records (as required for the position)
 - Professional license/certificate/credentials (as required for the position)
 - Government security clearance (e.g., radioactive materials)
 - Post-offer pre-employment medical examination
 - Job-related drug test
 - Office of Inspector General (OIG) exclusion list

4. A satisfactory background check (clearance) must be completed prior to the person beginning their new appointment. Clearance to begin work can be found in the third party vendor application. Talent Acquisition issues clearance to the hiring departments for DOJ/FBI background checks.

5. Background Check Process

- a. Funding
 - The hiring department is responsible for funding the cost of criminal background checks.
- b. Agency Background Check
 - The department orders the background check directly through a third party vendor via the vendor's online ordering website by entering the pertinent

information.

- To request a background check, the department's requestor needs a user profile. The user profile can be obtained by:
 - Obtaining department head approval for access; and
 - Emailing a request for access to Central HR by contacting Talent Acquisition at Talent@ucr.edu.
- A standard background screening package is available. Specialized screenings such as education and employment verifications are available at extra cost.
- The requestor may also view the status of the background check on the vendor's website.
- Results will be provided within the vendor tool to the organizational approved recipient. Talent Acquisition will notify the background check requestor and the appropriate Shared Services Center (SSC) when the candidate successfully clears the background check.
- If a candidate requests a copy of their consumer report, the vendor will automatically provide a report.
- The final candidate(s) will need to select an option to receive a copy in the vendor's system.
- If a candidate is uncertain on how to obtain a copy, they can request instructions from Talent Acquisition.

c. California DOJ/FBI Fingerprinting Check

- The organization's assigned Shared Service Center (SSC) will contact a Live Scan center and make an appointment for their candidate. A copy of the UCR Justification for DOJ/FBI Background Check should accompany the request (refer to Appendix C) and must be signed by the HR representative for the Organizational unit.
- Employment-related fingerprinting services are available through Live Scan. For questions, please visit <http://livescan.ucr.edu/contact.html>.
- To Complete Form & Book Appointment and obtain a list of acceptable documents, through the "Go To Appointment" tab, go here: <https://livescan.ucr.edu/live-scan> and must bring the acceptable identification document(s) as listed in <http://livescan.ucr.edu/required-information.html> under the "Required Information" section. Candidates must bring these documents to the fingerprinting appointment.
- DOJ transmits results to the CHR office. Fingerprinting results are generally received within ten (10) calendar days. In some instances, results may be delayed for a longer period. Final results will be provided to the hiring department and appropriate Shared Services Center within three (3) business days from receipt of completed results.

Process and Responsibilities Background Checks

1. Human Resources

- a. Job codes associated with DOJ/FBI background checks are listed in Appendix B. Those not listed but may require a DOJ/FBI background check should be reviewed by the department HR representative for further evaluation. Note: the hiring departments may require a more stringent check based on the specific responsibilities of a position. If a DOJ and/or FBI background check is required a justification must be written and

uploaded into the HRMS Recruitment Module (refer to Appendix C).

- b. Talent Acquisition is responsible for managing the campus vendor relationships for agency background checks and misconduct checks. They are also responsible to collaborate with the LiveScan Department to obtain background check results from the DOJ/FBI process and communicate results to the hiring department.
 - Requesting and removing access for campus requestors
 - Troubleshooting system issues: access, incorrect case type requests, etc. .
- c. When information regarding a criminal conviction is received and/or misconduct (final administrative or judicial decision(s) and/or UC Allegations of Misconduct are known, ELR will review and determine whether there is any conflicting or potentially disqualifying information.
- d. ELR is responsible for approving requests for additional types of background checks. ELR will conduct an individualized assessment in accordance with PPSM 21, including review of any information provided, in order to make a final determination as to whether the candidate is eligible to hold the position.
 - Initial Individualized Assessment
 1. If the conviction would not be disqualifying, ELR notifies Talent Acquisition that the candidate has cleared the background check.
 2. If the background check contains a criminal conviction or other potentially disqualifying information, ELR will conduct an initial individualized assessment, including the nature and gravity of the offense(s); the length of time that has passed since the offense(s) occurred and/or completion of the sentence, as well as the candidate's age at the time of the offense; the nature of the position applied for; whether factors such as trauma, domestic violence, sexual assault, stalking, human trafficking, duress, or other similar factors contributed to the offense or conduct; and whether a disability (such as past drug addiction or mental impairment) contributed to the offense, and if so, whether a reasonable accommodation or treatment could or has mitigated or eliminated the likelihood of harm arising from similar conduct.
 3. If, following initial assessment, the conviction is potentially disqualifying, ELR sends the candidate the applicable pre-adverse action notification to the candidate at the email address noted on the employment application, and allow five (5) business days to respond (if the deadline falls on a weekend or university holiday, allow until the next business day). If the candidate responds timely to ELR in writing disputing the accuracy of the conviction history report that was the basis for the preliminary decision, then the candidate has an additional five (5) business days to respond to the notice.
 - Reassessment
 1. ELR conducts reassessment based upon available information, and consideration must be given to the candidate's response, if any, including evidence of rehabilitation of mitigating circumstances.
 2. If, following reassessment, ELR determines that candidate IS eligible to

hold the position, ELR notifies Talent Acquisition that the candidate has cleared the background check.

3. If, following reassessment, ELR determines that candidate IS NOT eligible to hold the position, ELR provides the candidate with the applicable Adverse Action Notice via email and notifies Talent Acquisition that the candidate has not cleared the background check. Talent Acquisition will notify the appropriate hiring department and SSC of ELR's review and recommendations including whether or not they may proceed with the hiring process.

- Talent Acquisition serves as the office of record for criminal background check results.

2. Hiring Department

- a. At the beginning of the recruitment process, the Hiring Department will review the default background check type assigned and determine whether a more stringent check is required based on the duties and responsibilities of the position. If a more stringent check is required, please work with ELR to confirm.
- b. Will determine the type of background check required for casual-restricted, volunteers and affiliates. As needed, request exceptions for the use of the DOJ/FBI check.
- c. Is responsible for complying with these procedures during recruitment processes, and when assigning an employee new and/or additional duties and responsibilities that would change the required background check. In the event that it is determined that a final candidate will need a DOJ/FBI background check, a Justification For DOJ/FBI Background Check form will need to be completed (refer to Appendix B and C) and signed by the designated HR representative for the organizational unit.
- d. Shall notify the final candidate that the offer of employment is conditional upon the satisfactory completion of the designated background check when:
 - a position is offered to a new hire to a critical position.
 - a critical position is offered to an existing employee who has been serving in a critical or non-critical position, and that employee has not completed the corresponding background check within the previous six (6) months.
- e. Orders the background check directly through a third party vendor via the vendor's online ordering website by entering the pertinent information. A standard background screening package is available. Specialized screenings such as education and employment verifications are available at extra cost.
- f. Responsible for direct payment to the third party vendor for agency background checks and misconduct checks. Payment is provided via PCard in a timely manner to ensure there is no service disruption.
- g. To request a background check, the department's requestor needs a user profile. The user profile can be obtained by:
 - Obtaining department head approval for access; and

- Emailing a request for access to CHR by contacting Talent Acquisition at Talent@ucr.edu.
 - h. The requestor may also view the status of the background check on the vendor's website. Results will be provided within the vendor tool to the organizational approved recipient.
 - i. If a candidate requests a copy of their consumer report, the vendor will automatically provide a report. The final candidate(s) will need to select an option to receive a copy in the vendor's system (available for agency check, not DOJ/FBI). If a candidate is uncertain on how to obtain a copy, they can request instructions from Talent Acquisition.
 - j. Directly request agency background and misconduct checks through the UCR vendor. Monitor the status of requests. Upon "pass" designation continue with the hiring process.
 - k. Communicates background check clearance to their shared services department and the candidate (e.g., formal letter or email).
3. Live Scan Center
- a. Upon a candidate's acceptance of a conditional offer of employment, SSC will provide appropriate disclosures and obtain the corresponding signed consent form(s) from candidates prior to initiating the DOJ/FBI background check. SSC are required to retain copies of signed consent forms and disclosure notices in a confidential file, separate from the employee file and retain them in accordance with the UC Records and Retention Schedule.
4. Shared Services Center (SSC)
- a. Will begin the hiring process, including updating the candidate's background check information in the UCPATH after receipt of background check results from the Hiring Department.
5. Forms/Instructions
- a. Processing DOJ/FBI Background Checks through the Applicant Live Scan System:
 - Should be rare and in alignment with UC Legal guidance
 - Live Scan Request Form
 - Applicant Authorization to Release Information Form
 - b. Processing Agency Background Checks
 - Agency Background Check Request Authorization form via the vendor
 - Consumer Disclosure Form
 - c. Processing Misconduct Checks
 - Candidate Authorization of Information Release form via the vendor
 - Staff Employment Misconduct Questionnaire

Staff Employment Misconduct Disclosure

1. Staff Employment Misconduct Disclosure Requirement

- a. As a condition of employment for any position, all: (1) final candidates for staff and student staff positions, including former UC employees who accept a conditional offer of employment; and (2) all volunteers in an athletic department; are required to disclose whether they are subject to any Final Administrative or Judicial Decision(s) within the last seven years that determined that they committed Misconduct. Final candidates and volunteers in an athletic department must also be permitted to disclose if they have filed an appeal with a court.

2. Candidate Completion of Staff Employment Misconduct Questionnaire

- a. After the candidate has accepted a conditional offer of employment or a volunteer assignment, the candidate is required to complete a Staff Employment Misconduct Disclosure Questionnaire. This Questionnaire requires disclosure of any administrative or judicial decisions issued within the last seven (7) years (from the date of submission of an employment application) that determined that the proposed hire committed misconduct.
- b. Completion of the questionnaire is not required if either of the following conditions apply:
 - An internal candidate/volunteer or current staff, student staff employee, or volunteer in athletic department accepts an offer of employment for any position at the same UC employment location where they are currently employed; or
 - A former UC employee or athletic department volunteer who successfully completed a previous Staff Employment Misconduct Questionnaire within the last six months accepts an offer of employment at the same UC location from which they separated, and has not held any employment since the UC separation date.

3. Final Candidate Authorization of Information Release Form

- a. The following are required to sign a release form authorizing the release of information by the final candidate's previous employer(s) to the University concerning any Substantiated Allegations of Misconduct in order to permit the University to evaluate the released information with respect to the criteria for potential employment:
 - Final candidates for Athletic Head Coach, Athletic Assistant Coach, Athletic Trainer, Supervising Athletic Trainer staff positions; or volunteers in an athletic department;
 - Any final candidate that discloses Final Administrative Decision(s) of Misconduct on the Staff Employment Misconduct Questionnaire

4. Contacting Previous Employer to Obtain Misconduct Information

- a. CHR is required to use the signed release form to engage in a reasonable attempt to obtain any employee Misconduct information, excluding any protected or confidential information that is not directly related to any employee Misconduct, from the previous employer for final candidates that accept a conditional offer of employment for Athletic Head Coach, Athletic Assistant Coach, Athletic Trainer, Supervising Athletic Trainer staff positions, and volunteers in an athletic department.
- b. For all final candidates that disclose in the Staff Employment Misconduct Questionnaire any Final Administrative or Judicial Decision(s) that determined that they committed Misconduct, CHR may use the signed release form, as needed, to obtain information from the previous employer.

- c. If a previous employer discloses findings of misconduct, CHR must notify the final candidate and allow at least five (5) business days for the candidate to respond with documentation or information correcting any factual inaccuracies.
5. UC Personnel File and UC Allegations of Misconduct Review
 - a. CHR must conduct a UC Personnel File Review and a UC Allegations of Misconduct Review, as applicable, in coordination with the candidate's current or former UC location and relevant compliance offices (e.g., Title IX, Civil Rights, Equal Employment Opportunity offices).
6. UC Personnel File Review
 - a. A UC Personnel File Review is required for current and former UC employees and athletic department volunteers. This review must be conducted only for candidates who meet minimum qualifications and must be completed prior to an offer of employment. The review includes:
 - Verification of position(s) held and date(s) of employment, following local procedure; and
 - Review employment related records related to employee performance that may include: special recognition and merit records, discipline including counseling memos, completed training required to maintain employment, promotions, demotions, transfers, reclassifications, resignations, discharges, and retirements.
 - b. A UC Personnel File Review is not required for current or former student staff employees unless:
 - A current or former student staff employee discloses misconduct at a UC location in the Staff Employment Misconduct Questionnaire; or
 - A current or former student staff employee has allegations of misconduct identified through the UC Allegations of Misconduct Review.
 - c. When a UC Personnel File Review is required for a student staff employee, the review will, at minimum, be limited in scope to the specific department where the student worked at the time of the substantiated or alleged misconduct.
7. UC Allegations of Misconduct Review
 - a. This review is required for internal candidates, including student staff employees, former UC employees, and athletic department volunteers. This review may only be conducted after an offer of employment or athletic volunteer assignment has been accepted by the candidate.
 - b. The review includes any notice of allegation(s) if the internal candidate is currently the subject of any administrative or disciplinary proceeding involving misconduct (i.e., informal resolution, alternative resolution, investigation, hearing).
8. Determining Hiring Eligibility
 - a. CHR makes a final hiring decision to proceed with the hiring process if all of the following are met:
 - The final candidate did not disclose employment misconduct on the Staff Employment Misconduct Questionnaire.

- Previous employer(s) did not provide (for positions identified in Section 3.a.) affirmative responses that the candidate committed misconduct.
- b. For current and former UC employees and athletic department volunteers, if UC personnel file records are satisfactory and there are no notices of UC allegations where the candidate is currently the subject of any administrative or disciplinary processing involving misconduct (i.e., informal resolution, alternative resolution, investigation, hearing). CHR is required to make a preliminary hiring eligibility decision if any of the following are disclosed or identified:
 - Misconduct is disclosed that would have violated UC policy.
 - The previous employer provided (for positions identified in Section 3.a.) affirmative responses that the candidate committed Misconduct. The candidate will not automatically be disqualified from employment. CHR reviews all received information, excluding any protected or confidential information that is not directly related to any employment misconduct.
 - For current and former UC employees and athletic department volunteers, UC personnel file records are unsatisfactory or there are notices of UC allegations where the candidate is currently the subject of any administrative or disciplinary proceeding involving misconduct (i.e., informal resolution, alternative resolution, investigation, hearing).
- c. CHR will use, but is not limited to considering, the following factors to make a preliminary hiring eligibility decision for the position:
 - The nature and severity of the misconduct at issue, including whether the same conduct occurring in the UC community would have violated UC policy and what discipline would have been issued;
 - When and under what circumstances the conduct occurred;
 - Whether the conduct involved an abuse of power or authority, such as involvement of subordinate employees, students, or minors;
 - The nature of the position for which the candidate is being considered;
 - The candidate's subsequent conduct and work history;
 - Evidence of rehabilitation;
 - Evidence of completion of sanction and discipline;
 - Criminal history information, if obtained and evaluated using legally required steps; and
 - Candidate-provided documentation correcting any factual inaccuracies about the misconduct information received from a prior employer.
- d. If the preliminary hiring eligibility decision is to move forward with the hire, the decision becomes final and the hiring process may proceed.
- e. If the preliminary hiring eligibility decision is to not move forward with the hire, CHR is required to conduct additional consultation and review with Legal Counsel, Title IX, Civil Rights, Equal Employment Opportunity Offices, and other appropriate compliance offices prior to making a final hiring eligibility decision.
- f. If the Misconduct disclosure was completed through a third-party vendor, the University must provide the candidate with an adverse action notice, which must include the

following:

- The contact information of the vendor Consumer Reporting Agency (CRA) that completed the Employment Misconduct Disclosure;
- A statement that the CRA supplying the report did not make the decision to take the adverse action and cannot give specific reasons for it; and
- The candidate's rights to dispute any discrepancies or inaccuracies in the employment Misconduct disclosure results with the CRA and to get an additional free report from the reporting company within 60 days.

9. Background Check and Staff Employment Misconduct Disclosure Records

- a. In order to protect a candidate's privacy, all information received in connection with the background check and Staff Employment Misconduct Disclosure processes must be treated as confidential and retained per local procedures. Records must be maintained in accordance with the [University of California Records Retention Schedule](#).

Contact Information

Contact	E-mail
Employee & Labor Relations (ELR)	employee.relations@ucr.edu
CHR Policy	hrpolicy@ucr.edu
Talent Acquisition	talent@ucr.edu

Revision History

September 2026 – Created a separate document to provide guidance on reference checks, background checks and misconduct.

APPENDIX A: Guidance on Phone Reference Checks

Prior to conducting a phone reference, be sure to:

- Familiarize yourself thoroughly with the information the applicant has already provided, including the application, resume, work sample (if applicable) and interview responses.
 - Identify areas that require elaboration or verification.
 - Set-up a telephone appointment with one or more references provided by the applicant.
 - Many employers are prohibited from providing information without a release, so if requested, send the signed Reference Checking Release and Disclosure consent form and the job description (optional) in advance of your telephone call. Release form can be found in the Talent Acquisition forms library.
 - Write down your questions before you call, highlighting the information you want to be verified or expanded upon.
- Set-up an environment that encourages the reference to respond willingly, cooperatively, and honestly. Begin your conversation on common ground by referring to information that has already been provided by the applicant.
 - For example: Jordan has asked to speak with you regarding information that was already shared with us during the interview process. –OR- I’m calling to verify information provided by Skye Roe.
- Describe the position:
 - Describe the responsibilities, duties and working environment of the position for which the individual has applied.
 - After describing the position, ask, “Given our requirements, what is your assessment of the individual’s qualifications for the job?”
 - In addition to your prepared questions, ask follow-up questions.
 - If you get a general response (“The employee is great!”), follow-up with a specific question (What did the employee do to merit that compliment? –OR- Why did the employee leave? –OR- How have things changed since the employee left?)
 - If the reference provider declines to answer a question, ask if someone else might be able to share information about the topic.
- Ask questions that are specifically job-related:
 - Do not ask about race, color, national origin, religion, sex, physical or mental disability, medical condition, ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran.
 - Ask the same basic questions about all applicants for whom you obtain references to ensure consistency. Weigh the information you receive in the same manner for all applicants.
 - Social network tools such as Facebook, X (formally known as Twitter) and LinkedIn should not be used to conduct reference or background checks. For additional information, refer to [University of California Guidelines Recruitment Through the Use of Social Networks](#).
 - Mandated hiring prerequisites depending upon the nature of the position and additional hiring prerequisites are the responsibility of the hiring department.

APPENDIX B: LiveScan Eligible Job Codes (as of 01.08.2024)

A justification for a DOJ and/or FBI background check form will be required.

Code	Title
6133	K to 12 Educator 2
4534	K to 14 Acad Prep Spec 2
4535	K to 14 Acad Prep Spec 3
4538	K to 14 Acad Prep Supv 2
4500	Acad Achievement Cnslr 2*
4501	Acad Achievement Cnslr 3*
4254	Advocacy Supv 2
4020	Advocate 3
4412	Americorp Member
335	Ath Mgr 2
337	Ath Mgr 4
4138	Ath Supv 2
9455	Ath Trainer 3
5719	Beh Health Cnslng Mgr1
5718	Beh Health Cnslng Mgr 2
6811	Beh Health Cnslng Supv 2
4459	Beh Health Counselor 3 HX (Counseling & Psychological Svc, Health & Wellness Case Mgmt
4460	Beh Health Counselor 4 HX
7449	Broadcast Comm Spec 1*
9293	Cert Phlebotomy Tchn 2
4108	Child Dev Ctr Ast
4107	Child Dev Ctr Teacher
4105	Child Dev Ctr Teacher 2
8939	Clin Lab Sci Spec
6569	Clin Lab Supv 2
9138	Clin Nurse 3
570	Clin Nurse SHS Mgr 1
9360	Clin Ops SHS Supv 2
9558	Cnslng Psychologist 3 HX

9976	CnsIng Therapist 3 HX GF
5045	Coach Ast 1

5046	Coach Ast 2
5115	Coach Ast 3
5840	Cmtly Educ Spec 1
5838	Cmtly Educ Spec 3
5836	Cmtly Educ Supv 2
0436	Early Childhood Educ Mgr 2
4150	Early Childhood Educ Supv 2
6293	Events Spec 4*
332	Head Coach 5
4397	Health Educator 2
4398	Health Educator 3
4399	Health Educator 4
2716	Intern-Clin Psych-Genl Camp
8994	Med Ast 2
9213	Med Ofc Svc Crd 2
9119	Nurse PD
9146	Nurse Pract 3
9249	Pharmacist PD
581	Pharmacy SHS Mgr 1
9282	Pharmacy Tchn 2
586	Physcn SHS Mgr 1
587	Physcn SHS Mgr 2
586	Physcn SHS Mgr
5645	Police Chf Mgr 4
5977	Police Lieutenant Mgr 1
5323	Police Ofcr
5314	Police Sergeant Supv 2
5037	Police Svc Supv 1
5216	Publ Sfty Dispatcher
5217	Publ Sfty Dispatcher LD

5231	QA Chef 3*
9022	Radlg Tchno Sr
4127	Recr Prg Instr 1
4128	Recr Prg Instr 2
4402	Recr Prg Leader 2

4400	Recr Prg Leader 4
4137	Recr Supv 2
4208	Regl and Complnc HC Spec 2
4207	Regl and Complnc HC Spec 3
6598	Regl and Complnc HC Supv 2
5326	Scrty Guard Sr (Police)
6001	Stdtd Health Physcn 4
6000	Stdtd Health Physcn 5
319	Stdtd Life Dev Mgr 1
4564	Stdtd Life Dev Spec 3 (Campus Advocacy Resorc & Educ, and SWIFT)
8968	Ultrasound Tchno Sr PD
8917	VOC Nurse
8918	VOC Nurse PD
8916	VOC Nurse Sr

* For those who work in VCSA and/or Athletics

APPENDIX C: Justification For DOJ/FBI Background Check

To be completed once a final candidate has been selected.

Date:		
Requesting Department:		
Applicant Legal Name:		
Title of the Position and Job Code:		
Authorized Requestor:		
Level of Service	State of CA DOJ ☐	DOJ/FBI ☐
Justification:		
Attestation:		
Fingerprinting Check: This type of background check is administered by the State of California's Department of Justice (DOJ) to search statewide Criminal Offender Record Information (CORI) utilizing the Live Scan system to transmit fingerprints electronically to the DOJ database. Effective December 31, 2023, California DOJ will restrict access to FBI national criminal records to the three federal statutes: 1) Public Law 105-277; 2) National Child Protection Act of 1993; and 3) Public Law 92-544. To align with penal code section 11105.3(a), UCR will only request from DOJ/FBI records of all convictions and arrests involving sex-related crimes, drug-related crimes, or violent crimes of a person applying for a license, employment, or volunteer position involving supervisory of or disciplinary power over, where the person will be caring for children, the elderly and disabled. For applicants applying for positions in the police department (campus safety), UCR will have access to the federal database for sworn officers, dispatchers and law enforcement positions that have a statutory requirement. If a Federal Bureau of Investigation (FBI) criminal background check is requested, the fingerprint images are forwarded to the FBI to perform a fingerprint-based search of records in the national criminal history database. This confirms that you attest that the DOJ and/or FBI background check is aligned with the requirements listed above.		
Signature of HR representative for the Organization unit:		Date:

Note: This document must be uploaded in the HRMS Recruitment Module.