

33.99.14.S1 Criminal History Record Information – Employees and Candidates for Employment



Revised [June 6, 2022](#)

Next Scheduled Review: June 6, 2027

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Rule Summary

The Texas A&M University System Offices (System Offices) must perform background checks of current employees and candidates for employment as provided in System Regulation 33.99.14, *Criminal History Record Information – Employees and Candidates for Employment*, and by this rule.

Definitions

Click to view [Definitions](#).

Rule

1. GENERAL

All System Offices employment positions are security-sensitive.

2. PRE-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECKS FOLLOWING CONDITIONAL OFFER

- 2.1 Every offer of System Offices employment must be conditioned on receipt of an acceptable criminal history record information check.
- 2.2 Following a conditional offer of employment, a finalist for System Offices employment is required to complete the background check authorization/consent process.
- 2.3 Every candidate for System Offices employment has, as permitted by law, the opportunity to request, receive, review and correct information about that individual collected by or on behalf of System Offices using the background check process.

3. SOURCES OF CRIMINAL HISTORY RECORD INFORMATION

- 3.1 Criminal history background checks on candidates for System Offices employment are performed by:

- (a) the Texas Department of Public Safety (DPS) Crime Records-Public Site or any other publicly available local, state, or federal source if the check is performed by a third-party vendor on behalf of System Offices; or
 - (b) the DPS Crime Records-Secure Site, the DPS Crime Records-Public Site, or any other publicly available local, state, or federal source if the check is performed by System Offices.
- 3.2 Criminal history background checks on current System Offices employees under Section 5 of this rule are run from the DPS Crime Records-Public Site or any other publicly available local, state, or federal source if the check is performed by a third-party vendor on behalf of System Offices.

4. FALSIFICATION OR FAILURE TO DISCLOSE CRIMINAL HISTORY

The System Offices Human Resources department must consult with the System Office of General Counsel (OGC) before determining appropriate action based on a candidate's falsification or failure to disclose the candidate's criminal history during the background check process.

5. CRIMINAL HISTORY BACKGROUND CHECKS OF EMPLOYEES

- 5.1 All current System Offices employees are subject to periodic criminal history background checks when such checks are determined by the chancellor or designee to be in the best interests of System Offices. Current System Offices employees who are candidates for another System Offices position may be checked in accordance with Section 2 of this rule.
- 5.2 Every System Offices employee has, as permitted by law, the opportunity to request, receive, review and correct information about that individual collected by or on behalf of System Offices.

6. ANALYSIS OF CRIMINAL HISTORY RECORD INFORMATION AND SUBSEQUENT ACTION

The System Offices Human Resources department must consult with OGC before determining appropriate action based on a candidate or employee's criminal history record information or the individual's failure to report any criminal arrest, criminal charges, or criminal conviction.

Related Statutes, Policies, or Requirements

[Tex. Gov't Code Ch. 559](#)

[System Regulation 33.99.14, Criminal History Record Information – Employees and Candidates for Employment](#)

Appendix

[System Offices Background Check Authorization form](#)

Contact Office

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