Rule Statement

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

Reason for Rule

This rule is required by System Regulation 33.99.14.

Procedures and Responsibilities

1. GENERAL

All System Offices employment positions are security-sensitive.

2. PRE-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECKS

2.1 All finalists for System Offices positions shall be subject to a criminal history background check.

2.2 All applicants for System Offices employment will be required to complete and sign a background check authorization form authorizing System Offices to perform criminal history background checks as necessary to determine suitability for employment or continued employment.

2.3 Every applicant for System Offices employment will have, 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 authorization form.
3. SOURCES OF CRIMINAL HISTORY RECORD INFORMATION

3.1 Criminal history background checks on applicants for System Offices employment shall be run from: 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 shall be run from the DPS Crime Records-Public Site or any other publicly available local, state, or federal source.

4. FALSIFICATION OR FAILURE TO DISCLOSE CRIMINAL HISTORY

The System Offices Human Resources department shall consult with the System Office of General Counsel before determining appropriate action based on an applicant’s falsification or failure to disclose his or her criminal history on the individual’s application for System Offices employment.

5. POST-EMPLOYMENT CRIMINAL HISTORY BACKGROUND CHECKS

5.1 All System Offices employees will be subject to periodic criminal history background checks when such checks are determined by the Chancellor or designee to be in the best interests of the System Offices. System Offices employees who are applicants for another System Offices position shall be checked as required by Section 2 of this rule.

5.2 Every System Offices employee will have, 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 shall consult with the System Office of General Counsel before determining appropriate action based on an applicant 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

Regulation 33.99.14, Criminal History Record Information–Employees and Applicants
Definitions

Unless stated otherwise, all terms used in this rule shall have the meaning assigned by System Regulation 33.99.14.

Appendix

System Offices Background Check Authorization form

Contact Office

Office of General Counsel
(979) 458-6120