

System Regulation 33.99.14, *Criminal History Record Information-Employees and Candidates for Employment*

Definitions

Applicant – an individual applying for a position with the system.

Arrest – to detain in legal custody.

Candidate for employment – an applicant who has been provided a conditional offer of employment.

Conviction – a finding of guilt after a trial, a plea of guilty, or a plea of nolo contendere (or no contest), or placement on deferred adjudication or some other type of pretrial diversion, for offenses other than misdemeanor traffic offenses punishable only by fine.

Conviction record – criminal history data reported by criminal justice agencies and includes arrests, prosecutions and dispositions of cases for individuals arrested for a Class B misdemeanor or greater violation as defined by state law or equivalent offenses under the law of another jurisdiction.

Criminal charge – a formal written instrument such as an indictment or information accusing an individual of a criminal offense.

Criminal history record information – information collected about an individual by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, information, and other formal criminal charges and their dispositions. It does not include driving record information maintained by DPS under Chapter 521 of the Texas Transportation Code. *See* Tex. Gov't Code § 411.082.

Security-sensitive position – any position in which an employee handles currency, has access to a computer terminal, has access to the personal information or identifying information of another individual, has access to the financial information of the employer or another individual, has access to a master key, or works in an area designated as a security-sensitive area. *See* Tex. Gov't Code § 411.094(a)(2); *See* Tex. Educ. Code § 51.215(c).