The following is provided as a suggested structural framework for a background check policy.

1. **Policy Statement**

It is the policy of       to conduct background checks as defined in [11 IAC 54.3](https://www.legis.iowa.gov/docs/ACO/IAC/LINC/08-06-2014.Rule.11.54.3.pdf).

(Agency Name)

Background checks are considered examinations to assess the qualifications of applicants pursuant to

[11 IAC 54.3](https://www.legis.iowa.gov/docs/ACO/IAC/LINC/08-06-2014.Rule.11.54.3.pdf):

54.3(3) Background checks. Background checks and investigations, including, but not limited to, checks of arrest or conviction records, fingerprint records, driving records, financial or credit records, and child or dependent adult abuse records, constitute an examination or test within the meaning of this subrule and Iowa Code chapter 8A. Confidential documents provided to the director by other agencies in conjunction with the administration of this rule shall continue to be maintained in the documents’ confidential status. The director is subject to the same policies and penalties regarding the confidentiality of the documents as any employee of the agency providing the documents. Background checks shall be conducted only after receiving approval from the director concerning the areas to be checked and the standards to be applied in evaluating the information gathered. Background checks are subject to the following limitations and requirements:

1. Arrest record information, unless otherwise required by law, shall not be considered in the selection of persons for employment unless expressly authorized by the director.
2. The appointing authority shall notify the director of each job class or position that requires applicants to undergo any type of background check. The notification shall document the clear business necessity for the background check and the job relatedness of each topic covered in the inquiry.
3. The appointing authority shall provide a statement that shall be presented to each applicant who is to be investigated under this subrule. This statement shall inform the applicant that the applicant is subject to a background check as a condition of employment and the topics to be covered in the background check. It shall also inform the applicant that all information gathered will be treated as confidential within the meaning of Iowa Code section 22.7, but that all such information gathered shall be available to the applicant upon request through the agency authorized to release such information, unless otherwise specifically provided by law. The statement shall be signed and dated by the applicant and shall include authorization from the applicant for the appointing authority to conduct the background check as part of the application and selection process.

* *Insert a statement or narrative regarding the risks and/or legal requirements that form the basis for conducting background checks for your agency.*
* *Describe who the policy affects and how it will be applied.*

1. **Affected Job Classes or Positions**

* *List affected job classes or positions affected. Include: a justification for each class or position based on business necessity and work-relatedness, and the standards to be applied to the results of the inquiry. This must be done for each subject of inquiry such as criminal, credit, license/education verification, etc. Identify the frequency of conducting the checks, such as upon hire only, upon hire and every two years, etc.*
* *This may be provided as an attachment. (See Appendix A for an example).*

1. **Administration of Background Check Policy**

Roles and Responsibilities

* *Identify who will be responsible for requesting background checks.*
* *Identify who will be responsible for evaluating background checks.*

Procedure

* *Describe how applicants subjected to background checks will be informed that the background check will be a condition of employment, will be informed of the topics to be covered, and when in the hiring process the background check will be conducted (pre-employment, post-offer, etc.).*
* *Describe how the applicant will provide authorization in writing for the agency to conduct the background check. (See Appendix B for an example.)*
* *Describe how information gathered in the background check will be made available to the applicant.*
* *Provide the names of vendors who will be used to conduct background checks, and describe who has authority to access these vendors, and how information gathered during a background check will be maintained as defined in* [*Iowa Code section 22.7*](https://www.legis.iowa.gov/docs/code/22.7.pdf)*.*

Forms and Communications

* *Attach forms and communication templates that will be used in the procedure. It is recommended that you work with your Assistant Attorney General and vendor to develop the appropriate legal language to use in authorizations, notices, and communications.*

1. **Policy Approval**

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| **Agency Authority Approval** |  | **Date** |

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| **Assistant Attorney General Approval** |  | **Date** |

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|  |
| **Effective Date of Policy** |

**JOB CLASS LIST FOR (DEPARTMENT) AND AREAS OF BACKGROUND INQUIRY FOR EACH CLASS**

Document the business necessity for the background check for each classification and the job relatedness of each topic of inquiry in the box to the right of the topic being checked. You may delete classifications and topics that will not be included in the background check.

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| --- | --- |
| **OFFICIALS AND ADMINISTRATORS** | |
| **EXECUTIVE OFFICER 1** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |
| **EXECUTIVE OFFICER 2** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |
| **EXECUTIVE OFFICER 3** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |
| **INFO TECH ADMIN 4** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |
| **PROFESSIONALS** | |
| **ATTORNEY 2** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Professional Licensure | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |
| **COMPLIANCE OFFICER 1** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |

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| **MANAGEMENT ANALYST 2** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Education Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |
| **ADMIN SUPPORT** | |
| **ADMINISTRATIVE INTERN** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| **RECEPTIONIST** | **Document clear business necessity for background check of this classification:** |
| Identity Verification | Document job relatedness of this topic here. |
| Employment Verification | Document job relatedness of this topic here. |
| Credit Report | Document job relatedness of this topic here. |
| Civil Records | Document job relatedness of this topic here. |
| National Criminal Records | Document job relatedness of this topic here. |

**DISCLOSURE AND AUTHORIZATION/RELEASE FORM**

**TO OBTAIN CONSUMER REPORTS FOR EMPLOYMENT PURPOSES**

I understand that:

1. As a condition of my employment with (Department), a background check will be conducted and, as part of the background check, (Department) may obtain consumer reports or have an investigative consumer report prepared by IntelliCorp Records, Inc., a consumer reporting agency, which may consist of contacting all listed prior employers to verify my employment history and/or the compilation of public records which may include, but not be limited to, public record information from federal, state and other agencies that maintain records regarding arrest or conviction records, fingerprint records, driving records, financial or credit records, and child or dependent adult abuse records;
2. Under the provisions of the Fair Credit Reporting Act (15 USC at 1681-1681u) as amended, before (Department) can seek such reports, (Department) must have my written permission to obtain the information;
3. The information obtained will be treated as confidential within the meaning of [Iowa Code section 22.7](https://www.legis.iowa.gov/docs/code/22.7.pdf) and, unless otherwise specifically provided by law, all information gathered shall be available to me upon request; and
4. I am entitled to a copy of my Rights under the Fair Credit Reporting Act.

**I AUTHORIZE, WITHOUT RESERVATION, ANY PARTY OR AGENCY CONTACTED BY THE CONSUMER REPORTING AGENCY TO FURNISH THE ABOVE-MENTIONED INFORMATION.**

I hereby do  do not  authorize (Department) to contact *my current* employer for employment and reference verifications. (This will authorize immediate inquiries to the Human Resources Department and to any listed supervisors or references in the Employment/Reference Section of your application.)

**I authorize procurement of such consumer report(s) as part of the application and selection process.** If hired, this authorization shall remain on file and shall serve as ongoing authorization for (Department) to procure consumer reports about me at any time during my employment period.

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| Print Name | | |  | Social Security No. | | | |
|  |  |  | | |  |  | |
| Date of Birth |  | Other Names Used (including maiden name) | | |  | Years Used | |
|  | | |  |  | |
| Driver’s License Number | | |  | State | |
|  | | | | | | |
| Email address (may be used for official correspondence) | | | | | | |
|  | | |  |  | | |
| Applicant Signature | | |  | Date | | |