

# Academic Hires Misconduct Disclosure and Background Check Information and Q&A Sessions

January 14, 2024  
1:15 P.M.- 2:00 P.M.

January 16, 2024  
1:15 P.M.- 2:00 P.M.

Sonia Kalogonis  
Academic Personnel Policy  
& Compensation Analyst

# AGENDA

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SB 791 and AB  
810  
Requirements for  
Academic Hires

Academic Hires  
Campus  
Required  
Process

Additional  
Information

Roles and  
Responsibilities  
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# SB 791 and AB 810- Employer Requirements for Academic Hires Effective January 1, 2025

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## Employer Misconduct Disclosure and Background Check for Academic Hires Effective January 1, 2025

In accordance with California SB 791 and AB 810, all colleges and schools must ensure the following disclosure is included to all new job postings effective 1/1/2025. Final- choice academic candidates including graduate students and academic volunteers must complete a misconduct disclosure questionnaire survey and sign an Authorization Form via Qualtrics Survey platform until a vendor is deployed. **Once the academic candidate is cleared for hire, the hiring department will be notified to proceed with the hire.**

As a condition of employment, the finalist will be required to disclose if they are subject to any final administrative or judicial decisions within the last seven years determining that they committed any misconduct, are currently being investigated for misconduct, left a position during an investigation for alleged misconduct, or have filed an appeal with a previous employer.

- “Misconduct” means any violation of the policies or laws governing conduct at the applicant’s previous place of employment, including, but not limited to, violations of policies or laws prohibiting sexual harassment, sexual assault, or other forms of harassment, discrimination, dishonesty, or unethical conduct, as defined by the employer.
- UC Sexual Violence and Sexual Harassment Policy
- UC Anti-Discrimination Policy for Employees, Students and Third Parties
- APM - 035: Affirmative Action and Nondiscrimination in Employment

# Academic Hires Misconduct Disclosure and Background Check Required Campus Process Steps

(1 of 3)



1. Department and/Dean's Office will email final choice academic candidate employment offer letter with misconduct disclosure verbiage.
  - Instruct candidate to complete the Misconduct Disclosure Survey and sign the Employer Authorization Release Form Questionnaire via Qualtrics platform within 5 business days.  
**\*Please remember to cc: [academicpersonnel@ucr.edu](mailto:academicpersonnel@ucr.edu)**
  - Includes graduate student employees, volunteers, and contingent workers.
    - Graduate student employees are subject to the misconduct disclosure upon their employment at UCR. This would apply to new appointments for Spring or Fall Qtr of 2025.
    - Example: The Graduate student may have had an appointment in the Fall Quarter 2024, but no appointment in Winter 2025 and will have a new appointment for Spring Quarter 2025.
2. Once the candidate completes the survey, APO will automatically receive a notification from Qualtrics to coordinate review with the appropriate reviewing committee.
  - Senate Faculty Finalist Candidate: Senate Faculty candidate responses *regardless of the responses*, APO analyst will proceed with following up with previous employer to perform background check.
  - Non-Senate Academic Candidate Finalist: If all responses are "No" then the APO Analyst will follow up with hiring department or Dean's office to continue the recruitment and/or onboarding process. If any responses are "Yes," then the APO Analyst will proceed with following up with the previous employer to perform background check.

# Academic Hires Misconduct Disclosure and Background Check Required Campus Process Steps

(2 of 3)

3. APO Analyst will use the Employer Authorization Release Form to obtain information from the previous employer within 5 business days.
  - Information received from previous employer will be shared with candidate to provide a response within 5 business days.
  - The appropriate reviewing committee will review as applicable the survey responses, employer's response and applicant's response for further evaluation.
  - After the review and assessment is complete, the reviewing committee will make final determination if the candidate is still eligible to hold the position.

<b>Senate Faculty Finalist Candidate (1st Reviewing Committee)</b>	<b>Non-Senate Academic Finalist Candidate (2nd Reviewing Committee)</b>
VPAR	VPAP
Chief Compliance Officer	AP Policy and Employee Relations Director
Assistant VPAP	Assistant VPAP

# Academic Hires Misconduct Disclosure and Background Check Required Campus Process Steps

(3 of 3)

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4. After the Reviewing Committee makes final determination, the APO Analyst will follow up with the hiring unit department/Dean's Office.
  - If decision is "Yes," then you may proceed with the employment offer letter and/or onboarding process.
  - If decision is "No," then please notify the candidate that they're not eligible. At this time the second-choice candidate may be considered and will need to complete the Misconduct Disclosure Questionnaire and Employer Authorization Release Form.

# Academic Hires Misconduct Disclosure and Background Check Additional Information

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- Please refer to the [Misconduct and Background Check Guidelines For Academic Hires](#) and [FAQs](#) documents which provides complete details regarding this process.
- Academic Personnel Office website link to Misconduct and Background Check: <https://academicpersonnel.ucr.edu/recruitment-and-appointment#misconduct-and-background-chec>
- Forthcoming is information regarding the vendor process
  - Depts will be initiating the misconduct disclosure survey through the vendor's platform for the academic finalist to complete along with the Employer Authorization Release form.

# Academic Hires Misconduct Disclosure and Background Check Campus Roles/Responsibilities Chart

## Roles and Responsibilities

ACADEMIC FINALIST	HIRING DEPT AND DEAN'S OFFICE	APO	REVIEWING COMMITTEE	VENDOR
<ul style="list-style-type: none"> <li>• Completes Misconduct Disclosure and Authorization form</li> </ul>	<ul style="list-style-type: none"> <li>• Insert Misconduct Disclosure language to job posting</li> <li>• Insert Misconduct Disclosure language to conditional employment offer letter/service agreement</li> <li>• Initiates Misconduct and Authorization form.</li> </ul>	<ul style="list-style-type: none"> <li>• Reviews Misconduct Questionnaire form responses</li> <li>• Coordinates responses with appropriate Reviewing Committee</li> <li>• Follows up with Previous Employer</li> <li>• Communicates eligibility decision to hiring dept/Dean's office</li> <li>• Securely stores all Misconduct Questionnaire responses and previous employer findings</li> </ul>	<ul style="list-style-type: none"> <li>• Reviews Misconduct Questionnaire responses</li> <li>• Determines if finalist candidate is eligible for hire</li> <li>• Reviews previous employer findings</li> <li>• Makes final decision of finalist candidate hire               <ul style="list-style-type: none"> <li>• <i>May bring in Campus Counsel for further review</i></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Administers Misconduct Questionnaire and Authorization Form with Academic Finalist</li> <li>• Collects responses and signed Authorization form</li> <li>• Retains securely all completed Misconduct Questionnaire responses and signed Authorization Forms</li> </ul>



## Please Ask Your Questions

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- In Zoom, please raise your hand if you have questions.
- If you prefer, you may use the Zoom Chat to insert your question(s).

*Please reach out directly if you have questions*

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Thank You