



33.99.14.E1 Criminal History Record Information – Employees and Candidates for Employment

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Supplements System Regulation 33.99.14

Rule Summary

The Texas A&M Engineering Experiment Station (TEES) must perform criminal 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.

Procedures and Responsibilities

1. GENERAL

1.1 System Regulation 33.99.14 provides specific guidance for members of the Texas A&M University System (A&M System) in obtaining criminal history record information and utilizing that information for employment decisions. To supplement these mandates, this rule has been developed to provide specific guidance not otherwise provided in System Regulation 33.99.14 for TEES.

1.2 All TEES positions are considered “security sensitive” due to the likelihood that each position consists of duties that include cash handling, access to the TEES network and/or systems, access to the building, and/or working in an area that has been designated as security sensitive.

2. CRIMINAL HISTORY BACKGROUND CHECKS

2.1 An offer of employment is contingent on the completion and clearance of the criminal background check. A candidate for employment’s failure to consent to a criminal background check is grounds for the rejection of that candidate. Except as required or otherwise provided by law, a member will not request the



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Texas A&M Engineering Experiment Station (TEES)

disclosure of criminal history record information regarding an applicant before the member extends a conditional offer of employment to the applicant.

- 2.2 Existing employees are subject to periodic criminal history background checks when such checks are determined by the agency director or executive director of Engineering Human Resources & Payroll to be in the best interest of TEES.
- 2.3 In situations where criminal history record information is found for a candidate for employment or a current employee, an analysis must be initiated, in accordance with System Regulation 33.99.14, Section 6 prior to finding a candidate ineligible for employment or prior to disciplining or dismissing an existing employee.
- 2.4 A candidate for employment is required to report any arrest, criminal charge or conviction as provided for during the background check process. This reporting obligation exists until the candidate for employment: (a) receives notice of not being hired; or (b) is hired and first reports to work.

3. SOURCES OF CRIMINAL HISTORY RECORD INFORMATION

TEES will access, as permitted by law, the following sources to obtain criminal history record information: (a) the Texas Department of Public Safety's Crime Records Service-Public Site or any other publicly available local, state or federal source; (b) the Texas Department of Public Safety's Crime Records Service-Secure Site. TEES will also utilize the services of a third-party vendor(s) to obtain criminal history record information as deemed necessary.

Related Statutes, Policies, or Requirements

[Texas Government Code Chapter 559](#)

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

Definitions

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

Contact Office

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