

UCCS CAMPUS PROCEDURE

Procedure Title: Misconduct History Check Procedure

Related Policy Number: 300-002 Appeals Procedure for University Staff

Functional Area: **HUMAN RESOURCES**
Effective: January 1, 2026
Procedure Primary Contact: Human Resources Office, 719-255-3372

I. Purpose

The University of Colorado Colorado Springs (UCCS) will conduct additional misconduct history checks on final candidates for specified positions. The misconduct history check program will enable UCCS to collect and review information about a candidate's conduct at their previous institutions, specifically conduct related to sexual misconduct, harassment, and/or discrimination – prior to making hiring decisions.

II. Scope

- A. The following final candidates will have a misconduct history check completed before being hired:
1. Tenured and tenure-track faculty
 2. Instructional, Research and Clinical (IRC) faculty
 3. Academic Deans
 4. Vice Chancellors
 5. Athletic directors, coaches, and trainers

Applicants to positions listed above will be advised within the job posting that UCCS will conduct a misconduct history check into potential misconduct and that the campus will not be able to continue to consider any applicant who fails to authorize the misconduct history check. This misconduct history check is separate from the current process of verifying a candidate's qualifications by soliciting outside letters of recommendation, professional references and running a background check and will run concurrent to other background checks.

To conduct the misconduct history check, the Office of Human Resources (HR) will contact previous institutions of any finalist for an appointment listed above to ask whether there are substantiated findings of harassment, sexual misconduct, or discriminatory behaviors as described in the University of

Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy. This misconduct history check will be conducted concurrently with the required professional references and background checks to avoid potential delays in the hiring process.

The appropriate dean, in consultation with the Office for Institutional Equity (OIE), University Counsel, Human Resources and the Provost's Office, will perform an individual assessment of any unfavorable information received, including the nature of the conduct, length of time passed, any corrective action taken, and any explanation offered by the candidate. After reviewing the information, this group will determine whether the candidate should still be eligible to be considered for the position.

III. Procedure

UCCS will follow these steps to perform the misconduct history check of any candidate who is a finalist for an appointment required to complete the misconduct history check.

1. The Office of Human Resources (HR) will include the following information in all job postings for applicable appointments to provide notice to applicants that UCCS will conduct additional Misconduct history checks on final candidates prior to hiring:
 - a. *The University of Colorado Colorado Springs has implemented a misconduct history check program with respect to final candidates for specific appointments. The misconduct history check program is intended to allow UCCS to collect and review information about a candidate's conduct at their previous institutions, specifically conduct related to sexual misconduct, harassment, and/or discrimination – before making hiring decisions. All final candidates to these appointments are required to complete an Authorization to Release Information and provide contact information for their previous institutions.*
2. Once the selection of the first-choice candidate (the finalist) has been identified, the department will notify The Office of Human Resources to initiate the misconduct history check process in conjunction with the background check.
 - a. The department can proceed with the offer negotiations, but HR must clear the reference checks (both professional and Title IX) and background check prior to the actual hire start date.
3. HR will contact the finalist to obtain a signed authorization form to authorize the Misconduct history check. This form will also ask the final candidate to include contact information for the appropriate office at their current or previous institution(s) over the last 7 years. Any finalist who refuses to sign the authorization form or does not complete the authorization form within 10 days of being asked to do so will be removed from consideration, and the department can proceed with evaluating their next candidate.
4. HR will send the signed authorization form, along with template letter/instructions to previous institutions, to ask whether there are substantiated findings of harassment, sexual misconduct,

intimate partner violence, stalking, or other discriminatory behaviors as described in the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy.

5. HR will actively monitor responses from previous institutions. If any of the previous institutions do not respond, HR can request support from the candidate in following up with their previous institutions.
6. Once the misconduct history check responses are received, HR will share the results with the department.

If the misconduct history check results are favorable:

- a. HR will notify the department once the background check is complete, that the candidate is clear to hire.

If the results are unfavorable:

- a. HR will arrange a meeting with the appropriate dean, OIE, University Counsel, and the Provost's Office to discuss the results of the additional misconduct history check.
- b. The dean and department chair, OIE, University Counsel, the Provost's Office, and HR will perform an individual assessment of the information received, including the nature of the conduct, length of time passed, any corrective action taken, and any explanation offered by the candidate.
- c. If needed, the dean and OIE will contact the candidate or previous institution(s) to gather additional information to assist with the review process, and reconvene with OIE, University Counsel, the Provost's Office, and HR to review those additional findings.
- d. After reviewing the information, the dean, in consultation with OIE, University Counsel, the Provost's Office, and HR will determine whether the candidate should still be eligible to be considered for the position.
- e. If the candidate is determined eligible for the position after deliberating, and the background check is complete, HR will provide confirmation to the department that the candidate is clear for hire. The department can proceed with finalizing the offer.
- f. If after deliberating the candidate is determined to be ineligible for hire, the dean (or a designated representative) will notify the candidate that they will be removed from consideration. The candidate will not be allowed to appeal the decision.
 - i. If an offer must be rescinded, University Counsel can advise on the approach.
 - ii. The department can proceed with considering their next candidate, subject to the Misconduct history check process.

Retention of misconduct history check documents:

1. The results of the misconduct history check documents will be stored in On Base with other employment related documents in a section marked "confidential".

2. Employees and managers will not be able to review these misconduct history checks as they would other documentation in the employee's file.

IV. RELATED RESOURCES

- A. [Appeals Procedure for University Staff](#)