

Standard Practice Guide Policies

Required Disclosure of Felony Charges and/or Felony Convictions 601.38

Applies to: Regular and temporary faculty, staff, student employees, volunteers and visiting scholars with the exception of those covered by a collective bargaining agreement

A. POLICY

It is important that the University's academic, research, patient care and service missions are delivered in a safe and secure environment for all University constituents, including students, visitors, patients and employees. Those missions are delivered by a dedicated and committed community of faculty, staff, students and volunteers. In order to better promote safety and security and mitigate potential risk, individuals identified below are required to disclose any felony crime for which they have been charged or convicted. This policy is intended to promote fair and consistent methods to obtain, analyze, apply and retain this information.

B. REGULATIONS

- a. All faculty, staff, student employees, volunteers and visiting scholars must disclose any felony charge and any felony conviction that occur while employed, appointed, otherwise engaged in University duties, associated with the University or while during a period of approved leave. The disclosure must be made within one week of knowledge of the charge, within one week of the conviction, and if on an approved leave, within one week of returning to University duties.
- b. The self-disclosure is made by completing and submitting the [Self-Disclosure of Felony Charge and/or Conviction \(https://hr.umich.edu/self-disclosure-felony-charge-andor-conviction-form\)](https://hr.umich.edu/self-disclosure-felony-charge-andor-conviction-form) form.
- c. Individuals disclosing a felony charge and/or conviction must provide truthful and accurate information and consent to a background check.

- d. Individuals who fail to disclose felony charges and convictions, and/or fail to provide accurate details regarding felony charges and convictions, or fail to consent to a background check will be subject to disciplinary actions up to and including termination.
- e. More expansive self-disclosure to the University of criminal charges/convictions may be required of certain classes of individuals, including those who are subject to external licensing requirements (e.g., commercial vehicle operators, licensed health care, child care and law enforcement professionals, etc.) and those paid by an external funding source with such requirements, (e.g., those working on federal contracts subject to the disclosure requirements of the alcohol and other drug policy, etc.).

C. ASSESSING DISCLOSED FELONY CHARGES AND CONVICTIONS

- a. University Human Resources will conduct a review of the disclosure and make an individualized assessment, consistent with business necessity, considering:
 - a. the nature and gravity of the offense,
 - b. the timeliness and accuracy of the disclosure,
 - c. the relevancy of the felony charge/conviction to the role(s) held at the university by the individual reporting.
- b. The Office of the Vice President and General Counsel may be consulted as needed.
- c. Background Check may be conducted.
- d. A felony charge and/or conviction is not necessarily a bar to continued employment, appointment, engagement/affiliation or participation with the university.
- e. A determination will be made regarding suitability for continued appointment or affiliation with the university, in collaboration with unit leadership as appropriate.
- f. Pending a determination, temporary measures may be implemented (such as work location).
- g. An individual who reports a felony charge and/or conviction will be notified of the determination in a timely manner after the review is complete.

D. RECORDKEEPING

- a. Self-disclosed felony charges and convictions must not be stored in personnel files.
- b. All information received in connection with a self-disclosure of felony charge and/or conviction is considered “sensitive” for purposes of University policies on the use and management of data. See SPG 601.12.

E. PROCEDURES

- a. Within one week of knowledge of being charged or convicted of a felony, self-disclose this information to University Human Resources using the Self-Disclosure of Felony Charge and/or Conviction form (<https://hr.umich.edu/self-disclosure-felony-charge-andor-conviction-form>).
- b. The individual disclosing will be contacted that the form has been received and is being reviewed.
- c. Questions regarding this policy may be felony-self-disclosure@umich.edu (<mailto:felony-self-disclosure@umich.edu>). More information may be found at hr.umich.edu/felony-disclosure (<http://hr.umich.edu/felony-disclosure>).

File Attachments

Printable PDF of SPG 601.38, Required Disclosure of Felony Charges and/or Felony Convictions (1/29/19) (<http://www.spg.umich.edu/sites/default/files/policies/601x38.pdf>)

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Related Policies:

[Alcohol and Drug Policy \(/policy/601.29\)](/policy/601.29)
[Background Screening \(/policy/201.95\)](/policy/201.95)
[Children on Campus \(/policy/601.34\)](/policy/601.34)
[Conflicts of Interest and Conflicts of Commitment \(/policy/201.65-1\)](/policy/201.65-1)
[Institutional Data Resource Management Policy \(/policy/601.12\)](/policy/601.12)

Related Links:

[Self-Disclosure of Felony Charge and/or Conviction form \(https://hr.umich.edu/self-disclosure-felony-charge-andor-conviction-form\)](https://hr.umich.edu/self-disclosure-felony-charge-andor-conviction-form)

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