SUBJECT: Criminal History Background Checks

Full time or part time positions filled on or after January 2, 2003 are designated as Security Sensitive Positions. Designated security sensitive positions apply to all departments, existing offices or offices developed in the future.

Employees that were hired prior to January 2, 2003 and are employed in the same position are not required to complete a background check release form. If this employee applies for another position, or terminates employment and then returns, the employee is required to complete a background check release form. Any affiliated family member that resides on campus housing is also required to complete a background check release form.

Any employee, regardless of date hired, who comes into contact, whether physical or virtual, with high school and primary education students is also required to have a criminal history record check through the Texas Department of Public Safety’s Fingerprint-based Applicant Clearinghouse of Texas (FACT).

Background check release forms will be submitted to and retained by the Human Resources Office and sent for processing by the Midland College Police Department on an annual basis.

The College shall not employ a person or allow a person to volunteer who has been convicted of any felony or misdemeanor involving any type of sexual contact with a child or abuse of a child that includes, but is not limited to, indecency with a child, injury to a child, or endangerment of a child.

The College shall not employ a person who has been convicted of any felony or misdemeanor involving any type of theft, burglary, robbery, fraud, computer crimes, telecommunication crimes, money laundering, bribery, or perjury as defined in the Texas Penal Code, as amended, if the person’s employment with the College involves access to debit or credit card account numbers, handling currency, or working in an area with access to financial, proprietary or other confidential information. The College shall not contract with an independent contractor that permits any of its employees to have regular contact with minors as a result of the contractor’s business relationship with the College if the employee has been convicted of any felony, or misdemeanor involving sexual contact with a child or abuse of a child that includes, but is not limited to, indecency with a child, injury to a child, or endangerment of a child. If a person has been convicted of an offense under this policy, except an offense involving a child, the College may consider employment if the offense is a misdemeanor that is minor in nature, or the conviction occurred at least ten years ago and the person’s background is otherwise clear. In this policy, a conviction includes deferred adjudication.