

**EXECUTIVE SUMMARY:**

## **Policy 333 *Background Checks***

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**Date:** April 18, 2024  
**Sponsor:** Marilyn Meyer  
**Steward(s):** Drew Burke  
**Policy Process:** Compliance Change  
**Policy Action:** **Revision--Limited Scope**  
**Policy Office Editor:** Cara O’Sullivan  
**Embedded Attorney:** Nicole Ferguson

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**Issues/Concerns (including fiscal, legal, and compliance impact):**

The Utah Legislature passed SB 192, Higher Education Amendments, this past legislative session. It is effective May 1, 2024. In that bill, the legislature amended several statutes to transfer policy-making responsibilities from the Utah State Board of Higher Education to higher education institutions. The bill amends Utah Code Section 53B-1-110 to require institutions of higher education to adopt policies relating to criminal background checks of prospective and current employees. Policy requirements include mandatory background checks for security sensitive positions, positions involving significant contact with minors, and background checks for employees where reasonable cause exists.

We are adding language to Policy 333 to comply with the background check requirements of Utah Code Section 53B1-110 and USHE Rule R847, Criminal Background Checks. See the accompanying draft.

**Suggested Changes:** This is a compliance change for Policy 333.

**Requested Approval from President’s Council:** [Click here to specify which stage the policy will enter upon approval.](#)

**Proposed Drafting Committee:** Drew Burke, Nicole Ferguson, Tyra Kaopua

**Target Date for Stage 1 Draft to Enter Stage 2:** [Click here to enter a date.](#)

**Target Date for Board of Trustees Review:** 5/1/2024

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**Projected Timeline:** [Leave blank. To be filled in by the Policy Office.]

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