

SAMPLE – FOR INFORMATION ONLY
Employment Misconduct Disclosure Questionnaire

All Applicants

The UC is committed to maintaining, building, and supporting an inclusive, healthy, and safe working environment. To that end, it has pre-employment processes that gather information about previous conduct that may impact the workplace. It is important for applicants to understand that UC treats all information submitted confidentially, only sharing it on a need-to-know basis. UC also commits to carefully and thoughtfully reviewing submissions to determine whether they impact an applicant's ability to perform the underlying duties associated with the posted position. If you are unsure what a question means, please refer to [Employment Misconduct Requirements and FAQs](#) or reach out to backgroundcheck@hr.ucsb.edu. UC wants to make sure that you understand the question before you honestly and completely submit your answers.

DEFINITIONS

For purposes of this questionnaire, the following definitions apply:

Misconduct is defined as:

- Any violation of the policies or laws governing conduct at a candidate's previous place of employment, including, but not limited to, violations of policies or laws prohibiting sexual harassment, sexual assault, or other forms of harassment, discrimination, dishonesty, or unethical conduct as defined by the previous employer.

Decisions include:

- Final Administrative Decisions: A written determination by a previous employer as to whether a candidate committed Misconduct. Examples of a final administrative decision include but are not limited to a determination of a decisionmaker (employer or state or federal agency) following a final investigative report and the subsequent hearing, or the imposition of employment discipline or corrective action related to the candidate's Misconduct; OR
- Final Judicial Decision: A final determination of a matter submitted to a court regarding the candidate's Misconduct that is recorded in a judgment or order of that court.

Appeal is defined as:

- A request for a review of a Decision as defined above. This could be through any previous employer's applicable appeal process or an appeal of a Judicial Decision through the applicable appeals process. Examples include filing a grievance, using an appeal process defined by policy, or filing an appeal with the appropriate judicial body or agency.

DISCLOSURE QUESTIONS

1. Has a Decision(s) been issued within the last seven years from the date of submission of your application determining that you committed Misconduct? [Yes or No]

If yes, the finalist will be required to answer the below questions:

- Name of employer (Including: location, division/department), administrative agency or court.
- What was the misconduct?
- When did the misconduct occur?
- When did you receive the Decision(s) determining you committed the misconduct?
- Did the Decision(s) result in discipline or did it include a recommendation for the imposition of Discipline?
 - If yes, what was the recommended and/or imposed discipline?
- What circumstances or factors contributed to the occurrence of the misconduct?
- Did the Misconduct involve an abuse of power and authority, such as involvement of subordinate employees, students, or minors?
 - If yes, please provide more detail about your relationship to the involved parties. Do not include names of individuals.
- Was your employment terminated due to the misconduct?
 - If yes, what was your date of separation from the employer?
- Did the employer require other follow-up action such as counseling, training, and/or implement a performance improvement plan related to your behavior?
 - If yes, what was the action? What did you learn and what changes, if any, have you made as a result?

2. Have you been given notice of allegation(s) or are you currently the subject of any administrative or disciplinary proceeding involving Misconduct (i.e., informal resolution, alternative resolution, investigation, hearing)? [Yes or No]

3. Have you left a position after receiving notice of allegation(s) or while you were the subject of any administrative or disciplinary proceeding involving Misconduct (i.e., informal resolution, alternative resolution, investigation, hearing)? [Yes or No]

If yes, the finalist will be required to answer the below questions:

- Name of employer (Including: location, division/department), or administrative agency.
- What is the alleged misconduct?
- When did the alleged misconduct occur?
- When did you receive notice?
- Why did you leave?

4. Have you filed an Appeal of a Finding/Decision referenced in Question 1? [Yes or No]

If yes, the finalist will be required to answer the below questions:

- Date(s) of filing the appeal

- Identify the employer(s) and/or agencies or court in which you filed the appeal
- What is the basis for the appeal?
- When do you anticipate being informed about a decision of the appeal?

[By clicking the submit button/By signing this form], I am affirming that I have honestly, accurately, and fully answered the questions on this form to the best of my knowledge. I understand that honestly and accurately completing my UC application materials, including the response on this form, is a condition of employment with UC and that failure to do so may result in serious employment action, up to and including termination.

Name (print)

Name (signature)

Date

SAMPLE