



**THE UNIVERSITY of
NEW ORLEANS**

**ADMINISTERED BY: Office of Provost and
Senior Vice President for Academic Affairs**

Policy No: AP-AA-44.1

**TITLE: Research Security Background
Screening**

EFFECTIVE DATE: February 14, 2024

CANCELLATION:

REVIEW DATE: Spring 2027

PURPOSE

The University of New Orleans continues to strengthen existing international collaborations and pursue new opportunities that benefit our faculty, students, and research objectives. The scope of science and research reasonably contemplates collaboration with others, including but not limited to, persons or entities outside the United States. The University recognizes the potential for some international collaborations to present risks to national security, as well as potential theft of intellectual property, proprietary information, trade secrets and classified and/or otherwise controlled government information housed at universities. In addition, undisclosed international collaboration may pose conflict of interest issues, as well as divert required time and effort from researchers' primary commitment to their U.S. research university. In light of these concerns, the purpose of this policy is to promote research security.

AUTHORITY

LA RS 17:1826.1 et seq. and as amended, titled the "Higher Education Foreign Security Act of 2022"

GENERAL POLICY

In compliance with the Louisiana Higher Education Foreign Security Act of 2022, as amended by Act 106 of the 2023 Regular Session, (collectively "the Act") the University properly screens all individuals who meet the criteria of the Act who are candidates for a research or research-related support position ("Screening-Contingent Candidate") and takes necessary and reasonable steps to verify all attendance, employment, publications, and contributions listed in an employment application prior to any offer of a position to the Screening-Contingent Candidate. The University shall perform a risk-based determination considering the nature of the research, the background, as well as past and current affiliations of the Screening-Contingent Candidate, prior to making an offer for hire. This policy applies to all applicants for employment, graduate students, and/or visiting researchers (without regard to national origin, citizenship, or other protected classification) who are seeking a research and/or research-supporting position.

This policy is in addition to the screening referenced in Background Checks for Employment Purposes AP-BA-43.3.

DEFINITIONS

Chief Research Officer – President, Vice President for Research and Economic Development, or designee.

Foreign Adversary – any foreign government or foreign non-government person listed in 15 CFR 14 §7.4 Determination of Foreign Adversaries, as amended or renumbered.

Hiring Office – The Hiring Office is the Department or College considering a candidate for employment subject to this policy.


Screening-Contingent Candidate – Every person being considered for employment in a research or research-related support position, or applying as a graduate student for a research or research-related support position, or for a position as a visiting researcher.

PROCEDURE

- A. For every Screening-Contingent Candidate, it is the responsibility of the Hiring Office to determine if any of the following apply:
 - a. the Candidate is a citizen of a foreign country and not a permanent resident of the United States or;
 - b. the Candidate is a citizen or permanent resident of the United States who has any affiliation with an institution or program with a Foreign Adversary or;
 - c. the Candidate has at least one year of prior employment or training in a Foreign Adversary country, except for employment or training by an agency of the United States Government.

- B. To make this determination, the Hiring Office shall:
 - a. Require that the candidate complete and return a Researcher Background Information Questionnaire;
 - b. In the case of a foreign candidate, obtain from the candidate a copy of the candidate's current passport and the most recently submitted Online Nonimmigrant Visa Application, DS-160;
 - c. Obtain from the candidate a complete resume and curriculum vitae, including every institution of higher education attended and all previous employment since the candidate's eighteenth birthday;
 - If a Candidate has been continually employed or enrolled in a postsecondary education institution in the United States for twenty years or more, the resume only needs to include the most recent twenty-year period.
 - d. Obtain from the candidate a list of all published material for which the candidate received credit as an author, a researcher, or otherwise or to which the candidate contributed significant research, writing, or editorial support;
 - e. Obtain from the candidate a list of the candidates' current and pending research funding, and its amount, from any source, including the candidate's role on the project, and a brief description of the research; and
 - f. Obtain from the candidate a full disclosure of non-university professional activities, including any affiliation with an institution or program in a Foreign Adversary country.

- C. The Hiring Office shall take reasonable and necessary steps to verify the attendance, employment, publications, and contributions listed in the application. All applications materials collected by the hiring office must be forwarded electronically to the following offices for review: Office of Research, the Office of International Students and Scholars, The Graduate School regarding graduate students, and the Office of Human Resource Management regarding faculty or staff. These reviewing offices may conduct additional screening which may include:
- a. Searching public databases for research publications and presentations;
 - b. Searching public conflict of interest records to identify any research publication or presentation that may have been omitted from the application;
 - c. Contacting employers from the previous ten years to verify employment; and
 - d. Contacting all institutions of higher education attended to verify enrollment and educational progress.
 - e. Any steps taken by the Hiring Office should be documented and the results kept with the applicant's application materials.
- D. When a Screening-Contingent Candidate is identified to have affiliations with countries of concern or if the Screening-Contingent Candidate omitted or failed to disclose some portion of their work history, the Hiring Office, with assistance from the supporting offices and the Chief Research Officer or their designee, shall make a preliminary risk-based determination prior to making an offer for hire, taking into consideration the nature of the research and the background and ongoing affiliations of the candidate as disclosed to the University and discovered through verification. If the Hiring Office and the Chief Research Officer or their designee are unable to clear the Screening-Contingent Candidate from security concerns after these steps, the University may request further investigation, including but not limited to a second background check performed by the Federal Bureau of Investigation, the Louisiana State Police, or any other qualified law enforcement agency.
- E. No offer for hire shall be made to a Screening-Contingent Candidate for a position covered by this Policy until this procedure has been completed.
- F. If an offer of employment is made and accepted, the information gathered for completing the risk-based assessment, including the Researcher Background Information Form, shall become part of the candidate's personnel file and will remain with Human Resource Management. The Hiring Office is not to retain these records. If the offer of employment is declined, the information collected for screening shall be destroyed by the Hiring Office.



Kathy E. Johnson, Ph.D.
President
University of New Orleans