

Audit finds Texas Agencies Have Room to Improve on Background Checks

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Don't assume that everyone hired or licensed by a Texas agency has a squeaky clean record. Not all state agencies check the background of those they hire or license.

And dozens of other agencies need to improve their background check procedures, Texas State Auditor John Keel said in a report released last week.

Auditors surveyed 157 state agencies and higher education institutions about their procedures for checking the backgrounds of employees, licensees, contractors and, in some cases, students.

The study, commissioned by the Legislature, found that criminal background procedures are inconsistent and that some agencies authorized or required to perform them don't.

Although most of the agencies said they conduct background checks in at least one of the four categories examined by the audit, nearly one-fifth have no written policies or procedures, including the state auditor's office. And 106 agencies need to improve existing procedures.

Here are some of the other findings:

- While most agencies run checks on at least one staff position, 49 agencies do not check the backgrounds of employees with access to potentially sensitive information technology.
- Of the 45 agencies authorized or required to run background checks on licensees, two agencies – the Texas Commission on Environmental Quality and the Texas Board of Architectural Examiners – said they don't conduct checks on applicants. The Texas Board of Chiropractic Examiners said it doesn't check applicants for clinics.
- Six agencies do not conduct checks for license renewal: the Texas Commission on Environmental Quality, the Texas Board of Architectural Examiners, the Texas State Securities Board, the Texas Real Estate Commission, the Texas Optometry Board and the Texas Commission on Fire Protection.
- Five of the 40 agencies authorized to check the backgrounds of contractors said they do not perform them, including the Texas Juvenile Probation Commission and the Texas A&M University System Health Science Center.

- Fifteen higher education institutions do not conduct background checks on students enrolled in programs where they might come in contact with vulnerable populations, controlled substances or sensitive information.

"Studying background checks provides an opportunity to ensure we are appropriating tax dollars effectively and efficiently, and to see if there are opportunities to increase public safety," said state Sen. Kip Averitt, R-Waco, who was among those who pushed for the study.

Auditors relied on information provided by the agencies. They did not verify the responses.

Some agencies said that they lacked the resources to perform checks or that they rely on applicants to voluntarily disclose such information when they renew their licenses.

A Commission on Environmental Quality spokesman said it changed its policy after the survey. Starting today, it will conduct criminal background checks on potential hires. It will not do checks on individuals the agency licenses. "For licensees, we require proof of requirements such as courses completed, education and work experience," said John Steib, deputy director of the commission's Office of Administrative Services in a statement. "It is up to their employers to perform other screening as they deem appropriate."