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**From:** Bentley, Eric  
**Sent:** Wednesday, March 28, 2012 8:31 PM  
**To:** Davis, Malcolm C  
**Cc:** Morales, Jeanette F; Levy, Peggy A  
**Subject:** RE: Questions From Malcolm Davis (DPS) on SAM 02.A.37

Yes, I believe that is a great suggestion. What do you think about adding the language highlighted below?

Criminal History Information Obtained From a Third Party Agency. When the component university obtains criminal history on an applicant from a third party agency other than any law enforcement agency (local, state, county, or federal) or another state agency such as the Texas Department of Public Safety, the component university must comply with the requirements of the Fair Credit Reporting Act (FCRA) as detailed below.

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Eric D. Bentley  
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**From:** Davis, Malcolm C  
**Sent:** Tuesday, March 27, 2012 8:24 AM  
**To:** Bentley, Eric  
**Cc:** Morales, Jeanette F; Levy, Peggy A  
**Subject:** RE: Questions From Malcolm Davis (DPS) on SAM 02.A.37

Hi Eric,

Thanks!

The way I read 3.8 is that everyone else other than a Police Department or State Agency is considered a 3<sup>rd</sup> party vendor. This would include the FBI, Interpol, etc. My question was for police applicants, can we expand this section to include ANY law local, county, state or federal law enforcement agency to get around the FCRA notification requirement for rejected applicants.

Malcolm

**From:** Bentley, Eric  
**Sent:** Monday, March 26, 2012 6:51 PM  
**To:** Davis, Malcolm C  
**Cc:** Morales, Jeanette F; Levy, Peggy A  
**Subject:** RE: Questions From Malcolm Davis (DPS) on SAM 02.A.37

Malcolm,

Please see my comments below in red.

Thanks,

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Eric D. Bentley  
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**From:** Levy, Peggy A  
**Sent:** Wednesday, March 21, 2012 3:11 PM  
**To:** Bentley, Eric  
**Cc:** Morales, Jeanette F; Davis, Malcolm C; Morales, Jeanette F  
**Subject:** FW: Questions From Malcolm Davis (DPS) on SAM 02.A.37

Hello, Eric –

I received the following questions (below) from Malcolm Davis regarding SAM 02.A.37, Security Sensitive Positions. The major change to Section 2.2 will probably be receiving numerous feedback, so this is the first on many questions on it.

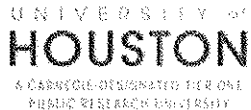
If you could please answer Malcolm Davis' questions below, with a copy to me to put the answers on the SAM Executive Review page, I would appreciate it.  
Thank you – Peggy

Questions:

- Does this policy pertain to everyone at UH who has access to a computer terminal (Section 2.2-b) which would include both research and teaching faculty? Yes.
- Can the information the chief of police provides the chief human resources officer on the applicant's criminal history status be verbal, or does a written copy of a positive criminal history have to be provided? It should not be a written copy of the positive criminal history, but rather, it should be a written statement of "no criminal history" or "positive criminal history" and in the event of a positive criminal history, the written statement should also include details of the nature of the positive criminal history.

- Can section 3.8 be expanded to include the FBI for Police Department applicants? Do you mean Section 3.3? If so, then yes.

Peggy Levy  
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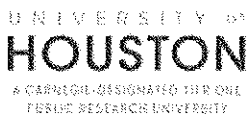


**From:** Levy, Peggy A  
**Sent:** Wednesday, March 21, 2012 3:05 PM  
**To:** Davis, Malcolm C  
**Cc:** Walker, Ginger K; Morales, Jeanette F ([JFMorales@Central.UH.EDU](mailto:JFMorales@Central.UH.EDU))  
**Subject:** Questions From Malcolm Davis (DPS) on SAM 02.A.37

Hi, Malcolm –

I received these original redlines to SAM 02.A.37 from Legal Counsel (Eric Bentley). Let me send your questions to him for clarification. Thank you – Peggy

Peggy Levy  
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**From:** Davis, Malcolm C [<mailto:MDavis@Central.UH.EDU>]  
**Sent:** Wednesday, March 21, 2012 3:02 PM  
**To:** Morales, Jeanette F; [palevy@uh.edu](mailto:palevy@uh.edu)  
**Cc:** Walker, Ginger K; Davis, Malcolm C  
**Subject:** RE: University Coordinating Commission (UCC): UHPD Response Needed for UCC Agenda Items

Hi Jeanette,

Some questions.

- Does this policy pertain to everyone at UH who has access to a computer terminal (Section 2.2-b) which would include both research and teaching faculty?
- Can the information the chief of police provides the chief human resources officer on the applicant's criminal history status be verbal, or does a written copy of a positive criminal history have to be provided?

- Can section 3.8 be expanded to include the FBI for Police Department applicants?

Malcolm

**From:** Morales, Jeanette F  
**Sent:** Wednesday, March 21, 2012 10:07 AM  
**To:** Davis, Malcolm C  
**Cc:** Walker, Ginger K  
**Subject:** University Coordinating Commission (UCC): UHPD Response Needed for UCC Agenda Items

Dear Mr. Davis:

The purpose of the University Coordinating Commission (UCC) is to facilitate discussion throughout the University Community on proposals that have been formulated but not yet approved. The UCC will try to ensure that proposed policies and procedures will be available to those university groups for whom they may be relevant, as quickly as possible.

The UCC has received the proposals numbered UCC 0216 12S – SAM 02.A.37: Security Sensitive Positions. The UCC has decided that this proposal may be relevant to your group. Please review the enclosed web link where the document is housed and, if relevant, relay your comments and suggestions to the group/originator making the proposal (University Policies & Procedures, Peggy Levy, [palevy@uh.edu](mailto:palevy@uh.edu)) and the UCC ([ucc@uh.edu](mailto:ucc@uh.edu) or Jeanette Morales, [jmorales@uh.edu](mailto:jmorales@uh.edu)) no later than **4/27/2012**.

[http://www.uh.edu/ucc/documents/f11\\_sm12/UCC\\_0216\\_12S.pdf](http://www.uh.edu/ucc/documents/f11_sm12/UCC_0216_12S.pdf) (UCC 0216 12S)

Sincerely,

Steven Wallace, Chair

University Coordinating Commission

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*Jeanette F. Morales*

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*"Wisdom begins in wonder." - Socrates*