

Background Investigations

Adopted by President's Cabinet 12/20/16

East Georgia State College's hiring policy is intended to encourage the full participation of motivated and qualified persons in the workforce while assuring the public safety of our campus community. To achieve this goal, finalist applicants who are offered employment will be required to undergo a background investigation process to determine their eligibility for employment and/ or for a specific position. Existing employees may also be "applicants" as referenced in this policy to determine his or her eligibility for continued employment or for a new position.

I. Investigations Required by Position Type

The specific duties of the employment position will determine the background investigation reports required of the applicant or existing employee. All EGSC job postings will state the specific background investigation reports required and state that such reports are required as a condition of employment.

- A. All EGSC positions:** It shall be a condition of employment with East Georgia State College to submit to a background investigation. Offers of employment shall be conditional pending the result of the background investigation, which shall include, at a minimum, the following:
- A state and federal criminal history check covering a minimum of seven (7) years;
 - A nationwide sex offender search;
 - A social security number check; and
 - For all professional, faculty and academic positions, an academic credentials check.
- B. Positions of Trust:** Offers of employment for positions of trust may be conditional pending the result of a state and federal criminal history check covering more than the minimum of seven (7) years. In addition, select positions of trust identified by the institution will require a credit check. Positions of trust are those that involve interaction with children, after-hours access to facilities, access to financial resources, including a Purchase Card, or positions that have been otherwise identified by the hiring official to require a more extensive background investigation.
- C. Existing Employees as Applicants:** A background investigation and, for select positions of trust, a credit check, shall also be performed on any existing employee being transferred, reassigned, reclassified or promoted to a position of trust requiring a Purchase Card or requiring access to financial resources unless a background investigation conforming to this procedure has been performed on such employee on or after July 1, 2002. Existing Purchase Card holders are subject to a background check before next renewal of card.
- D. Volunteers:** Volunteers with primary responsibilities including direct interaction, care or control of children under the age of 18 must consent to and pass a background investigation as required by the *EGSC Minors on Campus Policy*.

II. Procedure for Criminal and Credit Background Investigation and Evaluation of Applicants and Employees

The hiring committee will evaluate applicants for employment and identify a finalist applicant. A conditional offer of employment, pending the results of background investigation, will be made by the hiring official to the finalist applicant. If accepted, the finalist applicant will sign a consent form and a background investigation will be ordered by Human Resources. The background investigation report will be reviewed by Human Resources. If the report contains criminal history and/or unfavorable credit

information, the report will be reviewed by the Background Investigation Committee which consists of the Director of Human Resources, Chief of Staff and Legal Counsel, Vice President for Business Affairs, and Director of Public Safety. The committee will evaluate the finalist applicant's eligibility for employment using the Board of Regents guidelines and the procedures set forth below.

A. Criminal History

(i) Disqualification of Employment

- (a) Sensitive governmental positions: In accordance with the Governor's Executive Order signed February 23, 2015, applicants for sensitive governmental positions must disclose criminal history on the initial employment application. Applicants for sensitive governmental positions with a criminal history will be immediately disqualified. East Georgia State College has identified the campus law enforcement officer position, a position that is responsible for the safety and security of the campus community, as a sensitive governmental position. Only EGSC employment applications for sensitive governmental positions will require the initial disclosure of criminal history.
- (b) Conviction of a criminal drug offense will disqualify a candidate for not less than three (3) months. Any candidate who has been convicted of a second or subsequent criminal drug offense shall be ineligible for employment for a period of five (5) years from the most recent date of conviction.
- (c) Any false statement of material fact during the screening process, including failure to disclose criminal history where required.
- (d) The candidate is or has been a member of an organization advocating the violent overthrow of the government of the United States.
- (e) The candidate applying for a position of trust has been convicted of a felony or crime involving moral turpitude, unless the applicant has been pardoned. Moral turpitude crimes are generally crimes involving vileness or depravity with respect to the duties a person owes to other members of society in general. This includes crimes involving violence, dishonesty or breach of trust. Examples include murder, rape, fraud, embezzlement and child abuse.

All (other) finalist applicants whose report contains criminal history will be notified in writing by the Director of Human Resources and given an opportunity to meet with the Background Investigation Committee to discuss any inaccuracies, contest the content and relevance of a criminal record and provide information that demonstrates rehabilitation. The finalist applicant's meeting with the Committee must occur within 5 days of the finalist applicant's receipt of the notification. If, after meeting with the Committee the finalist applicant is disqualified by the Committee, the finalist applicant will be notified in writing in accordance with state and federal law.

Employees being transferred, reassigned, reclassified or promoted to a position of trust that have not had a background investigation on or after July 1, 2002, must have a background investigation performed prior to the transfer, reassignment, reclassification or promotion to a position of trust. An employee whose report contains criminal history may, depending on the information in the report, be ineligible for the new position and/or continued employment.

B. Credit History

An applicant or employee applying for a position of trust whose report contains unfavorable credit history will be evaluated by the Background Investigation Committee using Board of Regents policy to determine eligibility for the position. Applicants or employees disqualified by the Committee due to credit history will be notified and given an opportunity to respond to the committee in accordance with state and federal law. Existing employees disqualified for a position of trust may be otherwise eligible for continued employment in his or her current position.