

Criminal Background Investigation Procedures

Student Handbook

Effective Fall 2007, East Georgia College will require a Criminal Background Investigation for applicants and former students that self declare one or more felony convictions on the Admissions Application, students in the Teacher Education program of study and EGC students applying for employment as a Post Secondary Readiness Enrichment (PREP) tutor. The purpose of the policy is to (1) further the college's interest in and responsibility to evaluate the character, maturity and responsibility of its applicants for admission; (2) to ensure the safety of the campus community and off campus K-12 placement environments, and (3) to allow the college to better advise students of the difficulties they face in obtaining internships, student teaching requirements and licensure in occupations that, by law or policy, exclude those with certain convictions.

Special Note for Teacher Education Students: Each of the teacher education courses requires the EGC student to complete classroom experience sessions in a K-12 school in order to fulfill the essential requirements of the course. The purpose of the policy is to ensure that students who prepare to become educators possess appropriate qualities of character conducive to a K-12 setting. The Criminal Background Investigation must be completed and approved by the committee prior to the student being placed in a K-12 classroom. Any teacher education student convicted of a crime of moral turpitude would be ineligible for placement in the K-12 classroom and unable to fulfill the essential requirements of the course. Additionally, it is possible such student would likely not be able to fulfill future student teaching course requirements nor receive eventual licensure. The above policy allows East Georgia College to better advise students of the difficulties they face in obtaining future internships, student teaching, and licensure.

Past Convictions and Convictions While Enrolled at EGC

The East Georgia College admissions application requires applicants to self disclose prior criminal convictions and pending criminal charges, to provide an explanation of the nature of the offense(s), the date(s) of occurrence, name and location of the court and the sentence imposed, and to submit court documentation. Applicants and students have a continuing duty to disclose their criminal history to East Georgia College. Applicants also have a duty to notify the college immediately of any inaccuracies in, or corrections to, the information initially disclosed. Following admission, currently enrolled students have a continuing duty to report arrests and convictions that occur while enrolled at East Georgia College, including those occurring between terms. Future criminal activity while enrolled at EGC may result in disciplinary action including suspension and the inability to complete a program of study. The criminal background check is valid for one year. It is possible that a student may be required to obtain additional reports during his or her period of enrollment at EGC, for future internships and for professional licensure in selected fields including teacher education.

Penalty for Failure to Self Disclose

Failure of the applicant to self disclose prior or current criminal convictions and pending charges on the admissions application is a falsification of the record. Upon discovery of pending criminal charges, prior criminal convictions or post admission criminal convictions not reported or disclosed by the student, East Georgia College may dismiss, suspend or expel a student from a course, program and/or the institution. In addition, the student will forfeit all fees paid to East Georgia College and may be denied a re-admission opportunity.

Procedure for Obtaining Criminal Background Investigation Report and Committee Review Process (Also on Back of Consent Form)

Applicants/students must:

- Complete a Criminal Background Investigation Consent form which can be picked up from the Registrar's Office, Chief of Campus Security, your Teacher Education advisor, mailed to your permanent home address, or accessed on-line at www.ega.edu/registrar/forms/.
- Student must visit Swainsboro Police department or Emanuel County Sheriff's Office, or other law enforcement agency, to request Criminal Background Investigation (CBI) report.
- Provide picture id and pay appropriate fee.
- Pick up completed report. NOTE: report must be signed or stamped by official certifying the report, placed in a sealed envelope bearing the letterhead of the law enforcement agency and stamped across the envelope seal. Copies of reports and mailed reports will not be accepted. Report must be hand delivered to Chief of Campus Security, Drew Durden.

Committee Review

Upon receipt of CBI report, the Criminal Background Investigation Committee will review and render a decision concerning admissibility of applicant/student to institution, educational program or for employment as a PREP tutor. The Committee reserves the right to call the student to appear before the committee to answer questions concerning discrepancies or incomplete information.

Factors used by the committee to evaluate the information in the criminal background check report include:

- (1) Nature, circumstances and frequency of the reported offense;
- (2) Length of time since the offense;
- (3) Information that addresses efforts at rehabilitation including whether the student accepted responsibility for the act or contested it, the punishment imposed, and efforts of positive life changes
- (4) Accuracy of information provided by the applicant in the admissions application; and
- (5) Whether admission would compromise the safety of EGC faculty, staff, students and visitors, or compromise the safety of any parties participating in an off campus tutorial site.

For teacher education students: Criminal Background Investigation reports for Teacher Education students will be evaluated using the above standards with specific attention to the nature of the prohibited crimes as set forth by the Georgia Professional Standards Commission (GPSC). The GPSC denies licensure for applicants convicted of crimes of moral turpitude such as: fraud or false pretenses in obtaining something of value, larceny or misdemeanor theft by taking, larceny after trust, murder, soliciting for prostitutes, voluntary manslaughter, sale of narcotics or other illegal drugs, pattern of failure to file federal tax returns in years in which taxes are due, criminal issuance of a bad check, and making a false report of a crime.

Applying the standards above, the committee may take the following action(s):

- (1) Denial of admission to the institution;
- (2) Denial of admission to the Teacher Education Program, or in the alternative, counsel and advise student of future risks and barriers if he/she elects to continue this program of study; and
- (3) Denial of employment as a PREP tutor.

An official written response will be directed to applicant/student at permanent home address concerning decision of the committee. In the event a teacher education student is denied admission to the teacher education program, and said student desires to continue in the teacher education program of study, the student must sign a Waiver form. The Waiver advises the student that enrollment in EDUC 2110, EDUC 2120 and/or 2130 may result in:

- (1) Student being unable to fulfill the essential requirements (classroom experience) of the course;
- (2) Student may be ineligible for a teacher education program of study (after transfer) at a 4 year degree granting institution; and
- (3) If the student completes a four year degree in an alternate field of study, the student may not be able to obtain professional certification from the Georgia Performance Standards Commission.

All students have the right to request reconsideration, in writing, within 5 days of the committee decision. The student will receive only one reconsideration opportunity. Student may appear before the committee. The committee's reconsideration decision is final; no further appeal is allowed. Requests for Reconsideration due to inaccurate information or cases of mistaken identity should be addressed to the law enforcement agency issuing the report. Upon issuance of a new report, the criminal background investigation report will be re-evaluated by the committee.

Access to Report, Student Right to Appeal, Storage of Report

The report is conducted by an outside vendor: a law enforcement agency. The applicant or student may obtain a copy of the report from any local law enforcement agency for a nominal fee. The applicant or student has the right to challenge the accuracy of the information contained therein. Challenges must be directed to the law enforcement agency certifying the report. All information contained within the report is confidential under the Family and Educational Rights and Privacy Act (FERPA) and will be reviewed only by the East Georgia College Background Check Review Committee. The committee consists of representatives from admissions, registrar's office, counseling, campus security and legal affairs. The committee will meet immediately following receipt of the report and render a decision within five working days. The criminal background check report will remain in the Campus Security office, separate from the student's academic file. The record of the committee's decision (Consent Form) will remain in the applicant's admissions file.

Criminal Violations by Current Student

A currently enrolled student in any institution of the University System of Georgia, who is charged with or indicted for a felony or crime involving moral turpitude, may be suspended pending the disposition of the criminal charges against him. Upon request, the student shall be accorded a hearing before the President of the institution in which he or she is enrolled. At such hearing, the student shall have the burden of establishing that his or her continued presence as a member of the student body will not be detrimental to the health, safety, welfare or property of other students or members of the campus community or to the orderly operation of the institution. Upon final conviction, the student shall be subject to appropriate disciplinary action. (BOR Policy 406.02)