

Policy Title: Background Investigation Policy

Policy Statement

It is the policy of Georgia College to extend the individuals to whom the BoR Background Investigation Policy applies to include any student who is engaged in a position of trust, as an employee, independent contractor, or volunteer.

Definitions

Position of Trust. includes but is not limited to those that involve interaction with children, after-hours access to facilities, access to financial resources and/or sensitive information or that have been otherwise identified by the Human Resources Department to require a more extensive background investigation.

Employee

- a. Full-time, or, Part-time,
- b. Regular, Temporary, or, Student
- c. Faculty, or, Staff

Independent Contractor

- a. An individual who follows an independent trade, business, or profession in which they offer their services to the public and will be performing these duties on our behalf. However, whether such people are employees or independent contractors depends on the facts in each case. The general rule is that an individual is an independent contractor if Georgia College has the right to control or direct only the result of the work and not the means and methods of accomplishing the result AND
- b. Not a University Employee
- c. Not a retiree of the University System of Georgia

Volunteer

- a. An individual who performs hours of service for the University for civic, charitable, educational or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered AND
- b. Not a University Employee

Keywords

Background Investigation

Contractor

Credit Investigation

Employee

Volunteer

Reason for Policy

Georgia College values all employees -- the staff, faculty, students, volunteers and contractors -- and recognizes that our strategic success depends on a safe and productive campus. Background checks are required for employees (Human Resources Administrative Practice Manual: Employment, Background Investigation, Revised 2013) and serve as an important part of promoting a safe work and academic environment for current and future students and employees.

Proposed Outcomes

--That students who are hired in a position of trust submit to a background investigation.
--That offers of employment shall be conditional pending the results of the background investigation.

Applicability of the Policy

This policy applies to any student who is engaged in a position of trust, as an employee, independent contractor, or volunteer, in addition to individuals to whom the BoR policy applies.

It is the policy of Georgia College to extend the individuals to whom the BoR Background Investigation Policy applies to include any student who is engaged in a position of trust, as an employee, independent contractor, or volunteer.

Related Policies

This policy is based on the Board of Regents of the University System of Georgia policy located at: http://www.usg.edu/hr/manual/background_investigation. To the extent there is any conflict from the actual written BoR policy, the BoR policy will prevail.

Procedures

Georgia College will follow the procedures outlined in BoR policy.

Authorized Administrator

Georgia College Human Resources Department is the designated department to initiate and process the background investigations required by this policy. As such, it is responsible to assure that all information attained from the background check investigations will be used only as part of the work engagement process and kept strictly confidential. It is not the responsibility of HR to discover, research, or verify that there are possible mitigating factors or that any particular information is either accurate or complete. The burden of proof to present mitigating factors and/or to prove the accuracy or inaccuracy of any particular record obtained through a background investigation rests entirely with the applicant.

Only under specific and controlled conditions will appropriate Human Resources Department, Public Safety Department, and/or the Office of Legal Affairs personnel at Georgia College have access to this information. Under limited circumstances, the President and/or relevant VP or Provost may request access to background information. Such a request needs to be made in writing and reviewed by the Office of Legal Affairs.

Exceptions

Exceptions to this policy can be submitted for review by and approval of both the Chief Human Resources Officer and the General Counsel.

These exceptions are for logistical and time bound circumstances that apply to volunteers and/or independent contractors who, by the nature of their professional reputation, distinguished artistic expertise, or learned discipline are engaged by the University to deliver unique learning opportunities, of short-term nature, for Georgia College Students, Faculty, Staff, or the local community at large.

Guidelines

The Office of Human Resources and Employee Relations reviews all job descriptions to determine if a Background Investigation is needed. If it cannot be clearly determined that a Background Investigation is warranted, the Chief Human Resources Officer will consult with Georgia College's Office of Legal Affairs to determine if a Background Check is required. The exceptions for a Background Investigation would only apply to students, Independent Contractors and volunteers. All faculty and staff are required to have a Background Check as a condition of employment.

Forms

Georgia form attached as Addendum A

Contacts

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Approval Date

RPIPC

University Senate

University President

Website Address for This Policy

RPIPC recommends that the proposed Background Investigation Policy replace the "Background Check" language in the PPPM found at

<http://gcsu.smartcatalogiq.com/en/Policy-Manual/Policy-Manual/Office-of-Human-Resources-and-Employee-Relations/Employment/Background-Checks>

Related Documents/Resources

[http://www.usg.edu/hr/manual/background_investigation.](http://www.usg.edu/hr/manual/background_investigation)

Appendices

DSI State of Georgia Background Request Form