

CLARK ATLANTA UNIVERSITY

Policy 9.1.18: Background Checks



CLARK ATLANTA UNIVERSITY		
POLICY and PROCEDURE	Subject: Background Checks	
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1.0 Policy Statement

Clark Atlanta University (University) will conduct background checks on all candidates offered positions of employment with the University. The University will conduct a background check that includes a review of the national sex offender registry list for all University employees and volunteers. The University may conduct a background check on any current employee who is offered a promotion or transfer which, at the University's discretion, warrants such a check. The University has the authority to conduct periodic background checks on employees or volunteers who may have unsupervised access to children or whose job responsibilities involve any aspect or routine exposure to the University's financial information, assets or data, as well as sensitive or personally identifiable information of the University's employees and students. Background checks are the University's principal means of securing information about potential hires from sources other than the applicants themselves. Background checks are also an important part of ensuring campus safety and security. The University also will conduct any such additional background checks as are required by law.

2.0 Narrative Procedures

The procedures below support this policy and provide clarity on background checks. Background Checks are conducted by authorized University employees (HR Business Partner and Chief of Public Safety) via a reputable third-party consumer reporting agency. All background checks are conducted in compliance with federal and state law. Information obtained through a background check will be kept separate from the regular personnel file and will be maintained in strict confidence, consistent with this policy. Employees violating this strict confidence will be discipline, up to and including termination of employment.

2.1 Background Check Parameters

The background check generally will include a review of information from an individual's previous employer(s), educational institutions, and law enforcement agencies at the federal, state and county levels and in some cases credit reporting agencies.

Background checks may include but are not limited to:

A. Review of Criminal Records

Provides criminal history for the applicant. Especially important for positions of trust/security. This is to ensure that information provided by a potential employee is accurate. Once a background check is conducted, the University has access to any pending or past criminal convictions of a potential applicant. These records (NCIC) are located in databases maintained by the (FBI) Federal Bureau of Investigation, the Georgia Code 35-3-34 – *Georgia Crime Information Center Records*, or any other agency that deals with such information. If an employer discovers that an applicant lied about their criminal history, the employer may refuse to hire the applicant or terminate employment if the person has already been hired.

Please Note: Criminal background checks have become so commonplace that anyone who wants to find out private information about another person can do so quite easily. A simple internet search

provides an almost endless list of online companies that offer criminal background check services for a fee.

B. Verification of Social Security Number

Ensures the candidate's social security number is legitimate and finds all names, including aliases and variations, dates of birth and address history associated with the social security number. This shows employers if the candidate has lived in undisclosed locations or under other aliases, which may reveal criminal records that would not have been found otherwise.

C. Address History Check.

Traces previous addresses for the candidate. Finding out where a candidate has lived will make it easier to verify other research and may reveal jurisdictions where criminal background checks should be performed.

D. U.S. Terror Watch List Check.

The background checks will look to see if the candidate is on the U.S. terror watch list. Such checks are especially important for campus public safety jobs.

E. Verification of Educational Records

Education verification will be requested for all faculty, adjuncts and regular staff positions. The position classification requires a degree and the candidate provided degree information during the search. Education verifications can only be completed on degrees that have been awarded. This check will be added by Human Resources Office if it is for a position that meets the criteria above. Education verification is not necessary for student and temporary assignments.

1. When the position classification does not require a degree, but the candidate provides degree information during the search, the University will use it to assess the candidate's knowledge skills and abilities.
2. Note: education verification will not be necessary if a candidate is using years of experience to offset educational requirements.
3. Faculty credential verification ensures that all faculty are qualified and have the highest standards of academic preparation and experience to teach and work at the University in a higher education academic setting.

F. Verification of Employment Records

Verification of Employment is a process used to review the employment history of a candidate's work experiences, qualifications, and work stability.

G. Sexual Offender Registry Search

Extremely important for positions of trust, this check must be included in background checks.

H. Credit History (for positions with financial responsibilities)

The Fair Credit Reporting Act (FCRA) is clear on what you can and cannot do as part of a background check with regards to credit information. Nearly all background checks are governed by the FCRA, but you should know that there is an array of other laws that affect them, depending on state and region. For example, in some states, it's fine to use credit and criminal background checks for any employee, in others you can only perform these checks for specific types of employees.

2.2 Release Waiver

For new hires, background checks ordinarily will be processed at the time a conditional offer of employment is made. For transfers and promotions, the background check ordinarily will be processed at the time a conditional offer of transfer or promotion is made.

In each case in which a background check will be performed, the individual will be asked to complete and sign a release authorizing the University and/or third-party vendor to conduct the background check. If the individual fails to sign the release, any offer for employment, promotion or transfer will be rescinded, and any current employment with the University may be terminated.

Background check reports will be obtained and reviewed by Human Resources Office, who may review the information with the appropriate member of senior staff, the University's legal counsel, or others with a need to know.

2.3 Denied Employment, Promotion or Transfer

If an individual is to be denied employment, promotion or transfer wholly or partly because of information obtained in a background check, the individual will be so informed in advance of any adverse action. In addition, where required by law and to the extent applicable, the individual will be given:

- a) a copy of the relevant background check report,
- b) a summary of the individual's legal rights concerning the background check report, and
- c) the name, address and phone number of the third-party vendor if the individual has questions about the results of the report or wants to dispute the accuracy of the report.

(Please note, however, that the vendor does not make employment decisions and will be unable to provide any individual with specific reasons as to why the adverse action was taken.)

3.0 Entities Affected by the Policy

All faculty, staff and University volunteers are affected by this policy.