



Best Practices for Protecting Minors on Campus

Background Screening Requirements

Presented by

Kenyatta M. Johnson,

USG Executive Director of Enterprise Risk Management

Question & Answer Panel

Sherma Francis, Human Resources Program Director

Chris McGraw, Assistant Vice Chancellor for Legal Affairs



Office of Internal Audit
and Compliance

Objective

- To review appropriate screening requirements for program staff and volunteers interacting with minors
- To solicit input on a system-level policy that will establish requirements for institutional policies on protecting minors on campus



Office of Internal Audit
and Compliance

USG Background Investigation Policy Requirements

All authorized adults or program staff who work with minors in programs that are USG sponsored and/or hosted in USG facilities must adhere to the following policies regarding background investigations:

- 1) Human Resources Administrative Practice Manual (HRAP) Employment: Background Investigations
- 2) Human Resources Administrative Practice Manual (HRAP) Employment: General Criteria for Employment

Link to policies: www.usg.edu/hr/manual



Office of Internal Audit
and Compliance

HRAP Policy Updates

- Revised December 2015
- Expanded to add “*child abuse*” to definition of **moral turpitude**
- Expanded scope to require background investigations for *“all part-time, student or temporary employees and volunteers with primary responsibilities involving the direct interaction or care of children under the age of 18”* (included in list of Positions of Trust)



Office of Internal Audit
and Compliance

HRAP Policy Requirements

- State and federal criminal history checks covering a minimum of seven (7) years
- Nationwide sex offender search and social security number check
- Institutions can require more years for specified Positions of Trust
- Office of Human Resources is required to maintain an up to date listing of positions of trust



Office of Internal Audit
and Compliance

Processing the Investigation Results

Reasons for disqualification/ineligible to participate:

- One or more felony convictions; or
- One or more convictions of crimes of moral turpitude
- Must be given an opportunity to provide an explanation in writing of the circumstances
- More detailed requirements are stated in the policy



Office of Internal Audit
and Compliance

Paying for the Investigation

- For institution sponsored programs, all background investigations **must** be conducted through the institution's Office of Human Resources
- Investigations must be conducted by qualified vendors
- Policy states *“the institution shall set guidelines for assigning the cost of performing a background investigation”*
- Third party programs **should** absorb the cost for conducting the required background investigations
- As a recommendation, the cost may be added to the cost of conducting the program



Office of Internal Audit
and Compliance

Frequency

While the HRAP does not provide requirements related to the frequency of occurrence for background investigations (beyond the initial occurrence), we recommend the following guidance be included in your institutional policy:

- All authorized adults or program staff **are required** to submit to an **initial** criminal background investigation
- Returning authorized adults or program staff should be required to submit to a criminal background investigation **every three (3) years**, at a minimum
- Criminal background investigations must be completed and evaluated **before** the authorized adult or program staff may begin interacting with minors.

Third Party / Non-USG Institution Programs



Office of Internal Audit
and Compliance

Before a third party/non-USG group is authorized to operate programs involving minors in any USG facility, the following requirements should be included in your institutional policy:

- Facilities use agreement must be completed, identifying whether minors are involved
- Provide certification that background investigations and training have been performed for all program staff
- Provide appropriate insurance coverage and other requirements



Office of Internal Audit
and Compliance

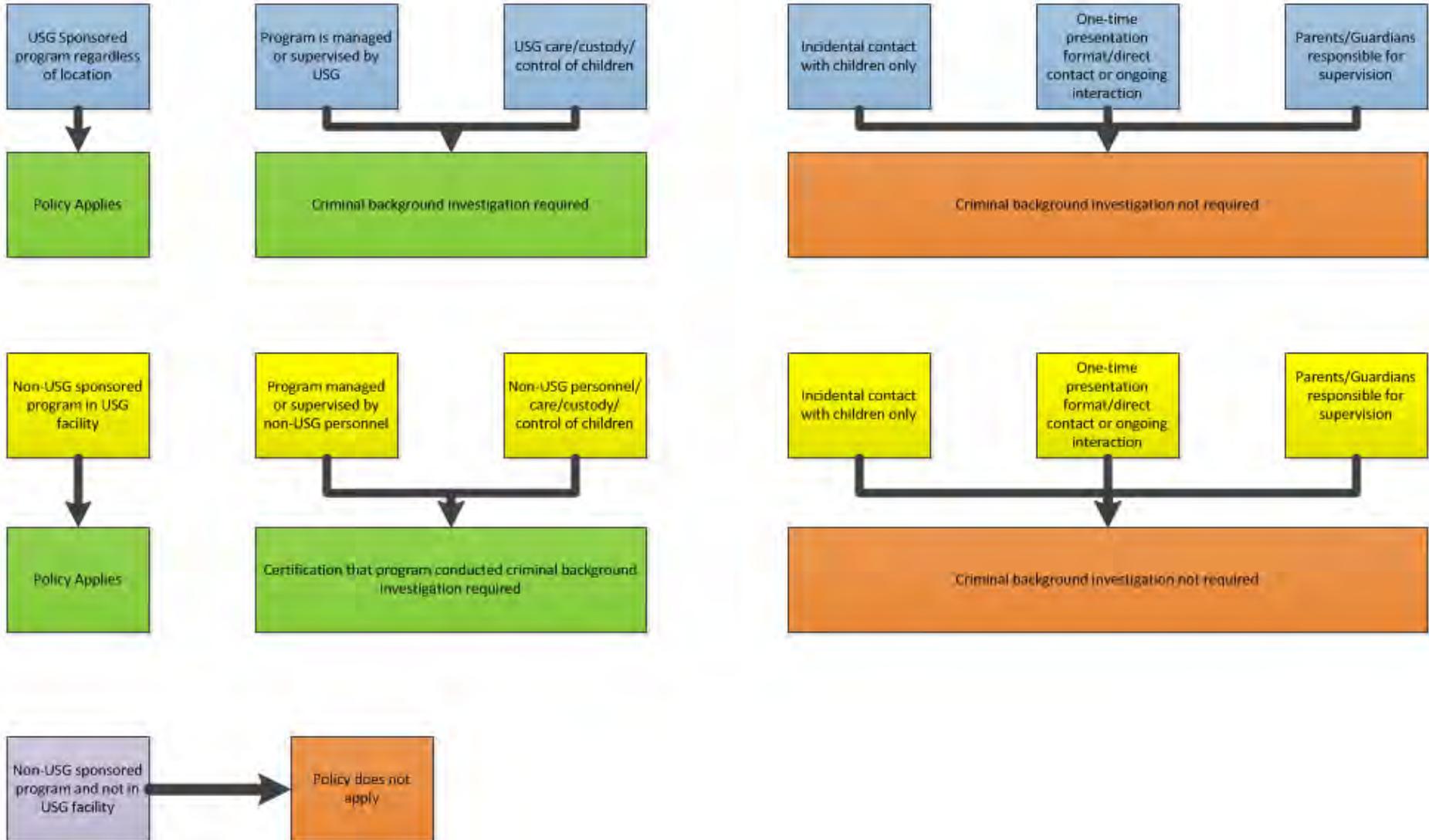
Records Retention

- Background Investigation reports securely stored separate from employee personnel file
- Must be destroyed in accordance with records retention schedule after five (5) years for successful applicants and three (3) for unsuccessful applicants



Minors on Campus

Criminal Background Screening Decision Matrix





Office of Internal Audit
and Compliance

Frequently Asked Questions

- If a third party (anyone outside of your USG institution) participates as an authorized adult in a program involving minors hosted on the institution's campus, how will I know they received a background investigation?
- If a third party agency has higher standards than your USG institution's requirements for background investigations, which standards should I use?
- How often do I need to conduct a background investigation on an individual that continually or frequently participates as an authorized adult in a program involving minors?
- How should the results of the background investigation be retained?



Office of Internal Audit
and Compliance

Frequently Asked Questions

- I teach private violin lessons in a USG institution facility. Does this policy apply to me?
- I am a student participating in a program involving minors that is hosted on my campus. Does this policy apply to me?
- Our group is not affiliated with the institution. However, we are using institution facilities for a summer youth camp. Are we required to conduct a background investigation for our program staff?
- I am a USG employee and I am operating a program involving minors. How do I arrange for background checks for my program staff?



Office of Internal Audit
and Compliance

QUESTIONS FROM THE FLOOR