



Best Practices for Background Screening in Georgia | **Schools**

May. 2024

www.bib.com



Discover a better way to conduct background checks in schools. and get new insights for improving background screening in your Georgia school district.

Background Check Best Practices for Georgia Schools

Conducting background screening for prospective school employees and volunteers is essential because it keeps students safe. Though background screening has its share of challenges, it helps you comply with state laws and know more about who you're hiring.

Despite what some background check providers may claim, not all criminal background checks are the same. In fact, the type of screening methodology you use to make hiring decisions can greatly impact the quality and accuracy of the background check results. To select background check services that fit your Georgia school district's needs, it's important to understand how background checks are conducted and why some methods are better than others.



How the Availability of Data Affects Screening

To understand the pros and cons of different background screening methodologies, you should first have a solid understanding of what background checks are, what kind of background data is publicly available, and the challenges associated with obtaining data.

So, what is a background check? It's a public records search for information about a person's criminal and civil history. Public records can include criminal charges, arrests, and placements on sex offender lists.

Because criminal background checks involve a search of public records, many assume that all background checks should include the same information. However, given the different methods of collecting and verifying background data, there can be a lot of variation in the data you obtain using one method versus another.

Factors Impacting Background Data Collection

Conducting background checks requires data collection from multiple sources, but the process is full of challenges because each jurisdiction and municipality records data differently. Consider the process of searching for criminal history data at the county level. There are 3,144 U.S. counties and approximately 5,400 courts. Each county and court system uses different identifiers—such as name, date of birth, and address—to file and store criminal records. This lack of consistency makes it easy to overlook records if screening companies aren't experienced in navigating the complex network of county and court record systems.

Background checks might be a lot simpler if there was a single, comprehensive criminal history database that held everything. Unfortunately, no such database exists, either through the Federal Bureau of Investigation (FBI) or commercially. At most, a national commercial database contains records from only half of U.S. courts. The FBI criminal database only holds about a tenth of the total

records. Therefore, the best way to obtain the most complete and reliable criminal records is to go directly to individual county courts.

Unfortunately, there isn't a unique identifier that all counties and courts use to index criminal records, such as a social security number (SSN). In fact, social security numbers are rarely listed in individual court records.

Another data collection challenge is related to applicant aliases and also-known-as (AKA) names. When individuals go by nicknames or have changed their name due to marriage or any other reason, their criminal records can be listed under multiple names, making them more difficult to find. Misspellings and incorrect placement of spaces and apostrophes in names also make it more difficult to locate records for some individuals.

Given the inconsistency in how counties index criminal history records and the limitations of databases, it's essential to collect background data from multiple sources. Regardless of the source, all criminal history data should be verified for accuracy with the county court of record.

The Real Story About the Role of National Databases in Screening

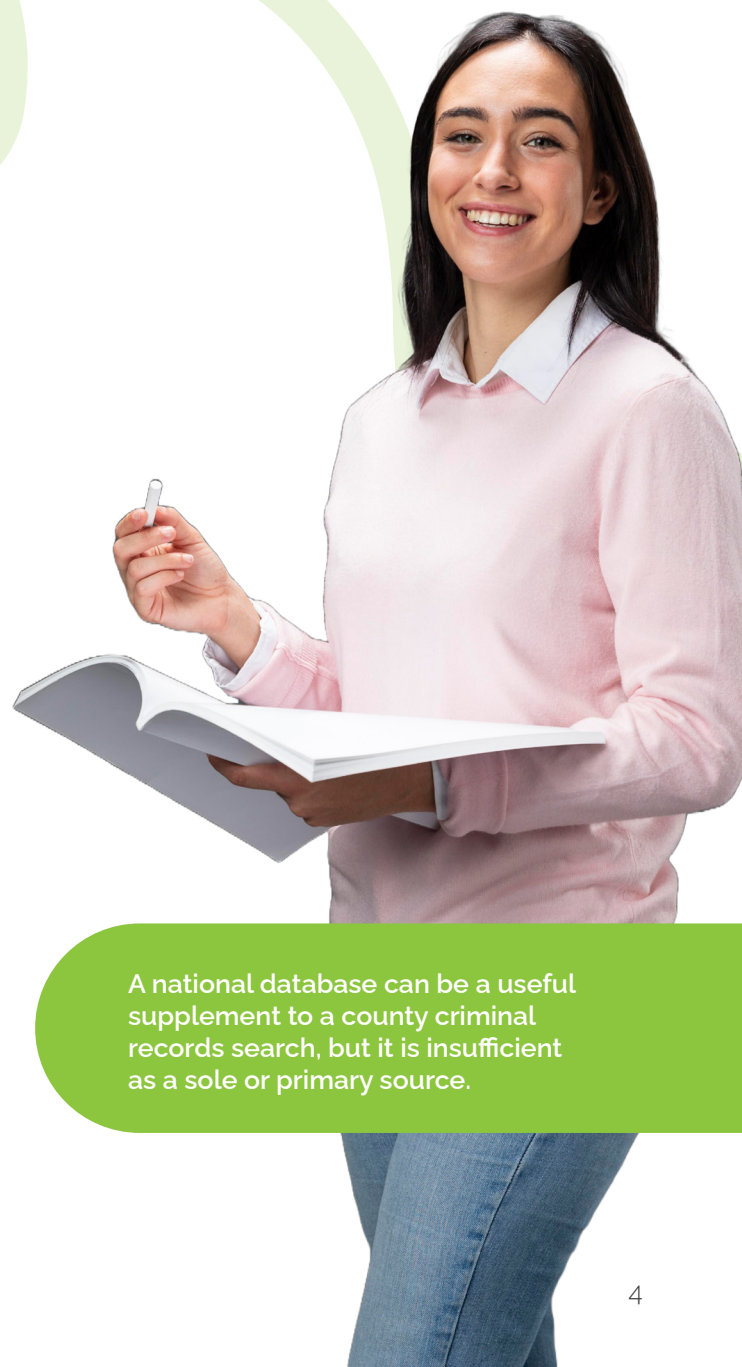
Given the complexities of obtaining criminal history data at the county level, it's tempting to rely on national database searches as a "catch-all" solution. However, national database screens can be highly unreliable when used as a sole or primary source of background information.

Here are a few reasons why you need more than a national search when conducting your school district background checks:

- "Nationwide" databases don't hold all criminal history data. Not all court and county systems report their data to these databases, and those who do may not provide all the information they have on file for an individual.
- The records in a national database may not be the most current and may lack a final disposition (guilty, not guilty, or dismissed). The most up-to-date records are only at the county court of record.
- National database searches often return large numbers of records or for individuals with common names, resulting in potentially inaccurate information.

Though national databases have their limitations, they can play a role in supplementing a county records search. Here are a few situations in which a national database search can be helpful:

- **Multi-location searches:** Because national databases contain records from around the country, they can lead to the discovery of records outside of an individual's county of residence.
- **Broader name searches:** The most sophisticated national databases use name variation algorithms (NVAs) to help discover records that may otherwise be missed in a county search. These algorithms can identify names that were keyed in differently because of hyphens, apostrophes, letter spacing, or misspellings.
- **Diverse data collections:** National databases can identify individuals on national security watchlists and reveal historical data regarding sex offenders who are no longer listed on real-time sex offender registries.



A national database can be a useful supplement to a county criminal records search, but it is insufficient as a sole or primary source.

Background Checks in Georgia Schools

Per Georgia Code O.C.G.A. § 20-2-211, prospective employees of Georgia schools must be fingerprinted and undergo a criminal background check by the Georgia Bureau of Investigation (GBI) and FBI. Currently, there is no requirement to conduct background screenings for volunteers.

Based on conversations with administrators and research of school district policies, we have found some commonalities in how Georgia schools screen employees and volunteers:

- Most districts do not supplement employee fingerprinting with any commercial background screening services.
- Not all districts screen volunteers. Those that do screen volunteers typically perform fingerprinting and a GBI search only.
- Some districts have tiered screening practices for volunteers depending on the type of interaction they may have with children.

Volunteer Screening Tips

Volunteers who chaperone school events, tutor students, and regularly visit school facilities during the school day can potentially interact with students in similar ways as teachers, bus drivers, and staff. As a result, it is best for them to undergo a thorough background check.

Keep in mind that not all individuals interacting with children require a background check, especially if the contact is supervised and infrequent. For example, parents visiting the school to observe classes, join a lunch period, or attend meetings usually don't need a background check. It's wise to define the difference between volunteers and visitors in your district and provide examples of situations where a background check is required.

The Limitations of Fingerprinting in Schools

Your school district fingerprints prospective employees to comply with Georgia law. However, fingerprinting is just one part of a complete and accurate background check, and it's often not enough to rely on fingerprint-based searches alone.

One key reason a fingerprint-based criminal check isn't sufficient is that there is not an all-inclusive national fingerprint database. The FBI database doesn't contain all criminal or fingerprint records and must depend on each state and county to send information regarding arrests and convictions. Unfortunately, due to reporting inconsistencies and backlogs, information doesn't flow from counties and states to the FBI database as quickly as it should. According to a 2022 U.S. Department of Justice report, 25 states and the District of Columbia reported a backlog of over seven million court dispositions that still needed to be processed and entered into state criminal history databases.

The Limitations of a Georgia Statewide Records Search

The process of conducting fingerprint-based screening for prospective employees of Georgia schools carries some risks. First, the GBI database contains criminal information from Georgia jurisdictions only. It doesn't contain information about criminal charges an applicant may have incurred outside the state. Given Georgia is one of a handful of states experiencing a surge of people coming in from other states, a background check limited to Georgia criminal records is likely to miss valuable background data about an applicant.

Second, the GBI doesn't contain information about all arrests and criminal charges. A U.S. Department of Justice report found that only 72 percent of arrests in the GBI database have dispositions. A missing disposition is important because employers who rely on arrest data without a disposition risk violating Equal Employment Opportunity Commission (EEOC) guidance to not make employment decisions solely on the basis of an applicant's previous arrest.



Tips for Conducting Sex Offender Registry Searches

Screening prospective employees and volunteers against sex offender registries is another critical component of background checks in schools. But like other kinds of searches, the accuracy of the data depends on the screening methodology you use.

When searching sex offender registries, you'll first need to understand your options, which include:

- **Sex offender database searches:** This kind of search seeks information about individuals who have appeared on a sex offender registry. However, if the database sources aren't up to date, the search results may be stale.
- **Real-time registry searches:** A real-time search is the most up-to-date method of obtaining information about sex offenders, as it includes anyone currently on a sex offender list. However, it doesn't include anyone who has been removed from the list as a result of state law or a judge's decree.

It's advisable to search both real-time sex offender registries and a national sex offender database. That way, you can gain both historical and current sex offender data. Another reason to use both searches is that searching the GBI sex offender registry may not contain all relevant data either. According to the GBI, "As the information is provided by other agencies and entities and is continuously changing, the GBI makes no promise or any express or implied guarantee concerning the accuracy of this information."



The Value of Rescreening in Schools

Though pre-employment and volunteer background checks are absolutely essential for schools, they only provide a snapshot of data at a specific moment in time. What happens after the initial background screen may be unknown to you if you don't rescreen employees and volunteers at a later time.

Sadly, school teachers, coaches, and volunteers are arrested at alarming rates around the country. In Georgia, there is no shortage of news reports about teachers being charged with crimes such as theft and sexual assault. Unfortunately, there may be others that never make the news.

Although you probably have a policy in place requiring employees and volunteers to report any new arrests and criminal charges, some may hide this information out of fear or embarrassment. To limit your employment risk and ensure you remain informed of any new developments, it's advisable to follow best practices for employee rescreening.

While rescreening may seem like an expensive undertaking, there are cost-effective solutions available to help you take the added step of fully protecting your students.

Here are five tips for rescreening employees and volunteers in your school district:

- Consider adding a background monitoring program to search for new arrests.
- Determine if employee and volunteer rescreening self-pay makes sense for your district.
- Review the methodology and data sources used in your background check program and address any gaps when you perform rescreening.
- Create a policy for rescreening your district's entire employee and volunteer population.
- Decide how often you want to rescreen.



A Better Background Check for Your Georgia School District

Now that you understand the limitations of other background check methodologies, it's time to identify the better way to screen:

Address history trace: This report reveals the date of birth, names, and addresses associated with a specific social security number. The trace should go back at least seven years.

Why it's important: Because an address history trace creates a profile of an individual's residence history, it can help to determine which counties and jurisdictions to include in the person's background check. Without the address history trace, you can miss criminal history records a person may have generated using another name or in a county other than where they currently live.

County court search: Based on the output of the address history trace, your screening provider can search for criminal history records in each jurisdiction where the applicant has lived.

Why it's important: County courts are considered the official court of record where most cases are filed and maintained, and thus the most complete and accurate information is generally located at the county level.

Criminal record database search: This is a database search of over 450 million criminal records regularly collected from over 2,600 public and proprietary sources.

Why it's important: Supplementing a county search with a database search casts a wider net and helps identify more records.

National sex offender search: This search includes a comprehensive real-time review of sex offender registries in all 50 states plus the District of Columbia, U.S. territories, and tribal registries.

Why it's important: Searching every available sex offender registry provides maximum protection from registered sex offenders gaining access to your students.

Alias name search: A detailed search of aliases and previous names, including maiden names, nicknames, and possible misspellings.

Why it's important: Not every applicant will provide all previous names and aliases. Having as many names as possible to search increases your chances of finding records you might otherwise miss.



Select a Comprehensive Background Check for Your School District

Working with a reputable screening company experienced in delivering comprehensive and secure background checks for schools enables more accurate and complete data than relying solely on a GBI or database search. With the right screening partner, you get:

- **Personalized background screening technology:** Applicants can apply from the comfort of their home on a secure site—and even self-pay for their background check if you choose to require it. The technology also makes it easy for you to run reports and stay up to speed on where applicants are in the screening process.
- **“Background screen-approved” ID cards:** Visually verify all screened volunteers when they're on school property.

- **Paperless screening:** Operate an efficient screening process free of paper forms and manual data entry.
- **Proactive support:** Get guidance for staying in compliance with Fair Credit Reporting Act (FCRA) and Equal Employment Opportunity Commission (EEOC) background check requirements.

Want a better way to complete background checks for your school district? Screen better with BIB! Contact us today for a demo, pricing, or simply to ask a question. We look forward to speaking with you.

