



This article presents general guidelines for Georgia nonprofit organizations as of the date written and should not be construed as legal advice. Always consult an attorney to address your particular situation.

BACKGROUND CHECKS FOR NONPROFITS

Frequently Asked Questions

1. Who conducts background checks?

Government entities and private services both conduct background checks. A list of several public and private providers can be found [here](#). These names are provided for information only and are not endorsed by Pro Bono Partnership of Atlanta in any way. Fees are as reported to and understood by us in March 2023.

2. What information is typically included in a background check?

The information included in a background check is dependent on the type of report(s) requested. A majority of employers request criminal, employment, and educational checks.

- Criminal history background check reports will likely include felony and misdemeanor records, sex-offender records, inmate records, and arrest information for a single state or for multi-states (usually at an increased fee).
- Employment verification reports include the applicants employment history including dates of employment and positions held.
- Education verification checks provide schools attended, dates of attendance, and degrees earned.

According to your needs, you can also likely obtain driving records and credit reports, and some agencies even perform drug tests. The types of searches agencies can conduct can be found [here](#).

3. Do I need consent from an applicant before running a background check?

Yes. The service you choose will likely provide a consent form for you. Links for service providers and information about their requirements to conduct searches can be found [here](#). There are additional requirements for consumer reports for employment purposes, so see Question 9 for those details.

4. What information do you need to get from applicants in order to run a background check?

To run the actual report, you will typically need all or some combination of the following information:

- Applicant's full name (first, middle and last)
- Applicant's date of birth (DOB)
- Applicant's former addresses
- Driver's License Number
- Social Security Number (SSN)

You may also choose to obtain the person's fingerprints for the report.

5. Fingerprints or Social Security Numbers: Which should you use?

Although many services perform searches to see if SSNs have been reported as stolen, obtaining fingerprints is the best way to make sure a person is who he claims to be. Unlike a SSN, fingerprints cannot be faked or stolen if the fingerprinting process is done in person. However, fingerprints typically only reveal criminal arrests and no further details about the matter. For information about a person's conviction of a crime, county records (which are kept by SSN and date of birth) are necessary.

6. How many years does a background check by a commercial service cover?

Most agency searches go back seven years, but some may search further.

7. How long does it take to get a report?

Report times vary from instant results to a few days depending on the information requested and the service used. Information about search result times can be found [here](#).

8. What if a background check reveals the applicant has a criminal history?

Federal law limits the ways employers can consider a person's criminal history when making employment decisions. Improper use of criminal background information in making employment decisions may subject employers to liability for discrimination under federal law.

First, the Equal Employment Opportunity Commission (EEOC) recommends that employers limit their criminal search inquiries to the type of criminal conduct that would be ***related to the job in question and consistent with business necessity***.

Second, the EEOC strongly advises employers not to rely only on arrest records when making hiring or other employment decisions because arrests are not proof of criminal conduct. Employers may, however, make an employment decision based on the conduct underlying the arrest if the conduct makes the individual unfit for the position in question. For example, a nonprofit that provides a mentoring program for grade school children may be justified in excluding someone who has been arrested for a sex offense if there is evidence, aside from the arrest alone, that the individual engaged in the

behavior in question.

Criminal convictions, on the other hand, can be an indication that it is more likely the individual actually engaged in the criminal conduct at issue. But in the case of an individual with criminal convictions, the EEOC recommends that employers only ask individuals about criminal conduct related to ***the job in question and consistent with business necessity***.

For more information on using criminal histories when making employment decisions and the EEOC's recommended best practices, please see this article [here](#).

9. Are there additional requirements for obtaining a consumer report for employment purposes?

Consumer reports for employment purposes are subject to additional requirements under federal law. The Fair Credit Reporting Act requires employers to obtain a signed "Disclosure and Authorization" form from an applicant before seeking a consumer report for employment purposes. As the name suggests, the intent of the form is to disclose to the applicant that an employer may obtain a consumer report as part of the hiring process and to obtain the applicant's written authorization to do so.

The Disclosure and Authorization form must be a completely standalone document ***without any additional information***. It may not be a part of boilerplate language at the end of a job application, nor may it be any part of the employment application. Company policy language, drug screen information, or other miscellaneous items may not be included on the form. However, it may include a request for certain identifying information needed to conduct the background check (i.e. name, date of birth, social security number, etc.).

Additionally, an employer may not include a "release" asking the applicant to release the company and others from any liability and responsibility in connection with the consumer report. Failure to present the Disclosure and Authorization form as a separate document makes the employer potentially liable for significant damages and court costs. Some states have their own consumer protection laws requiring "check the box" language that a consumer can initial to receive a copy of his or her report. This information is permitted in the Disclosure and Authorization form, but nothing else. Georgia, however, follows the federal Fair Credit Reporting Act, which does not require such language. You should consult legal counsel to address any additional questions you may have on this issue.

For more information on the Fair Credit Reporting Act's requirements and forms, including a sample Disclosure and Authorization form, please visit our website for the webinar and materials on [Background Checks](#).

For more information on conducting background checks generally, see our [Background Checks Webcast](#) (with accompanying slides) and our article on [Background Screening for Employees and Volunteers](#).

GOVERNMENT SOURCES

Georgia Felon Search

www.felonsearch.ga.gov

- **Cost:** \$15 per search
- **Time to receive results:** Instant
- **What you get:** Georgia felony convictions
- **What you need:** Full name, DOB, sex, and consent of the individual

National Sexual Offender Public Website

www.nsopw.gov

- **Cost:** Free
- **Time to receive results:** Instant
- **What you get:** Photo, sex-related convictions for all 50 states, District of Columbia, Puerto Rico, Guam, Northern Mariana Islands, and participating federally-recognized Indian tribes
- **What you need:** Full name and consent of the individual

Georgia Sexual Offender Registry

https://state.sor.gbi.ga.gov/Sort_Public/

- **Cost:** Free
- **Time to receive results:** Instant
- **What you get:** Georgia sex-related convictions since July 1, 1996, convictions prior to July 1, 1996 with release or probation dates after July 1, 1996, and convictions in other states but person now resides in Georgia
- **What you need:** Full name and consent of the individual (In addition, you may enter other search terms, including address and gender.)

Georgia Driving Records

<https://dds.georgia.gov/georgia-licenseid/general-license-topics/how-do-i-mvr-driving-history>

- **Cost:**
 - \$6 for a 3-year record
 - \$8 for a 7-year record
 - \$8 for a lifetime record
- **Time to receive results:** Results are mailed
- **What you get:** Georgia driving history record (MVR)
- **What you need:** Can submit request online at https://dds.drives.ga.gov/_/ or via mail by filling out and submitting the following form:
https://dds.georgia.gov/sites/dds.georgia.gov/files/related_files/document/dds-18.pdf requires the full name, address, and consent of the individual whose MVR is requested)

Atlanta Police Department

<https://www.atlantapd.org/services/criminal-background-checks-and-fingerprinting>

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- **Cost:** \$10
- **Time to receive results:** Results are mailed
- **What you get:** Arrest and conviction records from the City of Atlanta
- **What you need:** Notarized consent form (signed by the individual) and a copy of the individual's ID

Georgia Crime Information Center

<http://gbi.georgia.gov/obtaining-criminal-history-record-information>

http://gbi.georgia.gov/sites/gbi.georgia.gov/files/related_files/document/GCICFees.pdf

- **Cost:**
 - For an Employee:
 - GA Check, via GAPS: \$36.00
 - GA Check & FBI Search, via GAPS: \$49.25
 - For a Volunteer:
 - GA Check, via GAPS: \$34.00
 - GA Check & FBI Search, via GAPS: \$45.25
- **Time to receive results:** Georgia criminal history record should be available to retrieve from the GAPS website within 24 to 48 hours after the applicant is fingerprinted and the transaction submitted to GCIC for processing
- **What you get:**
 - **Georgia Search:** identification data (name, date of birth, social security number, sex, race, height, weight, etc.), arrest data (including arresting agency, date of arrest and charges), final judicial disposition data submitted by a court, prosecutor or other criminal justice agency and custodial information, if the offender was incarcerated in a Georgia correctional facility
 - **Georgia and FBI Search:** Includes a Georgia Check and an FBI criminal records search (must have fingerprints to obtain this)
- **What you need:** GAPS account (obtain here: <https://www.aps.gemalto.com/ga/index.htm>), as well as consent or fingerprint of the individual. The Georgia Crime InformationCenter does not conduct name-based criminal history record checks.

PRIVATE SOURCES

Some companies provide discounts for nonprofit organizations. If available, the prices below include that discount. The prices listed are for basic background checks only. Many companies provide other services, such as drug testing and credit checks, for an additional charge.

IntelliCorp

https://www.intellicorp.net/marketing/ScreeningServices_BackgroundChecks.aspx

- **Cost:** Several packages available with volume based pricing
- **Time to receive results:** 3-5 business days
- **What you get:**
 - **Standard:** SSN Verification w/address history, Government sanctions search, Validated criminal database, Validated nationwide sex offenders, Validated Department of Corrections, Unlimited single counties - 7 year address history
 - **Enhanced:** all Standard checks, plus Federal criminal records and Employment verification for 1 employer

Updated: 2/1/2023

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- **Premium:** all Enhanced checks, plus Unlimited single counties - unlimited address history, Arrest records, Employment verification for 2 employers, Education verification, Professional reference verification
- **What you need:**
 - Open an account with Intellicorp, which will require proof of valid business documentation
 - In order to run a search: Full name, DOB, SSN, current address of residence, and consent of the individual

Orange Tree Screening

<https://www.orangetreescreening.com/>

- **Cost:** Several packages available ranging from \$16.27 to \$126.39
- **Time to receive results:** 1-3 business days
- **What you get:**
 - **Base:** Social Security Number trace, National Criminal Records search, National Sex Offender search, County/Statewide Criminal search (note that county searches not available for Georgia)
 - **Essential:** Social Security Number trace, National Criminal Records search, National Sex Offender search, County/Statewide Criminal search (note that county searches not available for Georgia), Education Verification, Employment Verification
 - **Classic:** Social Security Number trace, National Criminal Records search, National Sex Offender search, County/Statewide Criminal search (note that county searches not available for Georgia), Education Verification, Employment Verification, Federal Criminal (convictions on Federal-level criminal cases), Global Watch (Global Terrorist Watch service searches for individuals on a proprietary database of more than 60 national and international watch lists), Employment Credit (consumer credit report), Media Search (information returned from a name search on US-based public websites), Motor Vehicle Records Regulated (commercial license validation), Professional Reference, Social Media Search
- **What you need:** Contract with Orange Tree Screening (see website to sign up)

Sterling

<https://www.sterlingcheck.com>

- **Cost:**
 - **Basic:** \$29.95
 - **Preferred:** \$59.95
 - **Pro:** \$79.95
- **Time to receive results:** Unknown
- **What you get:**
 - **Basic:** Social Security Number trace, single county criminal record search, multi-state instant criminal check with verification, DOJ national sex offender public website search
 - **Preferred:** All Basic Check searches, plus federal criminal district search, OFAC terrorist watch list
 - **Pro:** All Preferred Check searches, plus 7-year federal district criminal record search, locator select with verification
- **What you need:**
 - Correctly-spelled first, middle, and last name

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- Address information
- Date of birth (DOB)
- Social Security Number (SSN)

GoodHire

<https://www.goodhire.com>

- **Self-Search**
 - **Cost:**
 - **Starter:** \$19.99
 - **Basic:** \$29.99
 - **Standard:** \$59.99
 - **Time to receive results:** Instant results for Starter and Basic searches. 1-3 business days for Standard searches.
 - **What you get:**
 - **Starter:** Nationwide criminal databases, sex offender registries
 - **Basic:** All Starter searches plus domestic watch list and social security number trace
 - **Standard:** All Basic searches plus 3 county criminal court searches
- **Assisted Search by Creating Business Account**
 - **Cost:**
 - **Basic:** \$29.99
 - **Essential:** \$54.99
 - **Professional:** \$59.99
 - **What you get:**
 - **Basic:** SSN trace, sex offender registry search, global watchlist records, national criminal records
 - **Essential:** All Basic+ searches plus unlimited county criminal search
 - **Professional:** All Essential searches plus education verification, employment verification (current)

First Advantage

<https://www.fadv.com/solutions/employment-background-checks.aspx>

- **Cost:**
 - \$175 Set-Up Fee (includes an on-site business consultation)
 - \$9 for a County Search
 - \$7.50 for a National Criminal Registry File Search (NCRF Search)
 - \$2.75 for a Social Security Number (SSN) Verification
 - \$6 for a Georgia Sex Offender Registry Search
 - \$7.80 for a Georgia Sex Offender "Plus" Search
 - \$32 Package: Includes County Search, NCRF Search, and SSN Verification
 - In addition, under this package, if alias names are detected, they are also plugged into a County Search and an NCRF Search
 - \$44 Package: Includes County Search, NCRF Search, SSN Verification, and a National Sex Offender Registry Search
 - In addition, under this package, if alias names are detected, they are also plugged into a County Search and an NCRF Search

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- A Motor Vehicle Check and/or a Credit Check can be added to any of the above options for an additional fee
- **Time to receive results:** Unknown
- **What you get:**
 - **County Search:** Searches for arrest and conviction records
 - **NCRF Search:** Checks for felonies, misdemeanors, & sex offender registry across the U.S.
 - **Social Security Verification:** Confirms SSN and previous addresses
 - **Georgia Sex Offender Registry Search:** Checks whether or not the individual is a registered sex offender in the state of Georgia
 - **Georgia Sex Offender “Plus” Search:** If the individual’s SSN Verification produces an alias name, this Search will run that alias through a Georgia Sex Offender Search, as well.
- **What you need:** Signed release form, SSN, and full name of the individual