

INTERNAL CONTROL GUIDANCE: STUDENTS

I. International Students

Area of Risk: International Student-Employees

Description of Risk: Failure to complete and maintain required documentation for non-U.S. citizen working students of the Institute could subject the Institute to fines and penalties imposed by the U.S. Immigration and Naturalization Service, a hold put on hiring of non-resident aliens, as well as adverse publicity.

Criteria: The Immigration Reform and Control Act of 1986 require employers to verify the identity and employment eligibility of anyone hired after November 1986. It is unlawful to knowingly hire, or to continue to employ, any individual not authorized to work in the U.S. Form I-9, Employment Eligibility Verification, was developed for verifying that persons are eligible to work in the United States. Institute requirements call for a new employee to complete Form I-9 on the first day of employment and present required forms within the first three days of employment. Also, policy requires the tracking of expiration of employment authorization documents held by non-resident aliens. Institute hiring departments are responsible for advising new student employees of the time frame and documentation required to complete or update Form I-9s.

Auditor's Overview: The purpose of reviewing this area is to ensure that campus units advise new student employees of the need to contact Human Resources to complete Form I-9, Employment Eligibility Verification, before they work in the unit and continuance of managing the process for required updates.

Many issues involving non-citizens, both students and non-students, working on campus can be complex. We encourage everyone who is responsible for new hire processing in his or her unit to contact the Office of International Education with any questions, <http://www.oie.gatech.edu/>. Another source of information is the Office of Human Resources at www.ohr.gatech.edu.

Best Practices:

1. The Unit Head empowers one person with the responsibility and authority to advise new student employees regarding the completion and updating of Form I-9, entitled Employment Eligibility Verification
2. The appointed administrator advises new student employees that they are to report to Human Resources to complete required paperwork, including Form I-9, before they are permitted to work in the unit
3. The appointed administrator establishes the appropriate contact with the Office of Human Resources in order to be informed on the tracking of expiration of employment authorization documents held by non-U.S. citizen student employees in the unit; the unit administrator advises applicable student employees of the need to update Form I-9s
4. The appointed administrator establishes the appropriate contact with the Office of International Education in order to be informed of changes in requirements regarding

student employees and to promote an environment that proactively maintains good relationships while managing requirements

Process:

EMPOWER THE PEOPLE RESPONSIBLE

The Unit Head appoints a person within the unit to ensure compliance with the Immigration Reform and Control Act of 1986, which requires employers to verify the identity and employment eligibility of new student employees.

EXECUTE POLICIES AND PROCEDURES

The appointed administrator should put in place a process to ensure compliance with the Immigration Reform and Control Act. Some things an administrator might do to implement a compliance process follow:

- Formalize approach for assuring compliance with Form I-9 procedures; a suggestion to consider is developing and maintaining a checklist that is completed by responsible parties within the unit to record accomplishment of internal and federal requirements
- Communicate procedures to staff, faculty and students as applicable
- Communicate Form I-9 requirement to student employees in pre-employment correspondence and when they initially report to the unit
- Establish lines of communications with the Office of Human Resources in order to track and notify non-USA student employees of the expiration of work authorization documents and the need to update Form I-9s

II. Students/Sexual Harassment

Area of Risk: Sexual Harassment

Description of Risk: Sexual harassment can (1) alienate students, (2) create a hostile educational environment, (3) result in lawsuits, fines, and penalties for violations; and (4) cause adverse publicity.

Criteria: It is the policy of this Institute that no member of its community, including administrators, faculty, staff, or students, should be subjected to sexual harassment by another. This policy and procedure is intended to create an atmosphere in which individuals who believe that they are the victims of harassment are assured that their complaints will be dealt with fairly and effectively. Toward this end, the Georgia Institute of Technology supports the principle that sexual harassment represents a failure in ethical behavior and that sexual exploitation of professional relationships will not be condoned.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or academic standing;

- Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting the individual; or
- Such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile working, or academic, environment. Both men and women may be either the initiators or victims of sexual harassment.

Complaints are to be directed to the Employee Relations of the Office of Human Resources for faculty and staff members and to the Dean of Students for students. Institute officials require an investigation. Individuals subject to disciplinary action may exercise their appeal rights pursuant to the procedures set forth in the Faculty Handbook, the Classified Employee Handbook, or the Student Handbook as appropriate.

Auditor's Overview: The purpose of reviewing this area is to ensure that campus units have in place a system that communicates with students the importance of an environment free of sexual harassment and a means of dealing with situations in which a person believes they have been subjected to sexual harassment.

Best Practices:

1. The Unit Head communicates the importance of the prevention of sexual harassment to students and staff of the unit on a periodic basis
2. An individual (or individuals) within the unit, is designated as contact point(s) for students to be referred to the appropriate level for counsel in instances where they believe they have been sexually harassed

Process:

SET THE TONE AT THE TOP

Ensure that everyone in the unit understands that the Institute's policy is that no member of its community should be subjected to sexual harassment by another and if an employee or student believes they have been subjected to such harassment there is a means to deal with the matter fairly and effectively.

DEVELOP AND EXECUTE SEXUAL HARASSMENT PREVENTION PROCEDURES

- Responsible unit staff should familiarize themselves with the Institute's sexual harassment policy and procedures. The Institute's policy can be found in the following:
 - *Policy Library, Employment, Employee Relations, Non- Discrimination and Affirmative Action at:* <http://www.policylibrary.gatech.edu/employment/anti-harassment-policy>
 - *Policy Library, Student Affairs, Other Academic Student Policies at:* <http://www.policylibrary.gatech.edu/student-sexual-harassment-misconduct-policy>
- Unit should communicate to all students/employees, on a periodic basis, the Institute's and the unit's internal policies on sexual harassment. This may be accomplished through reminders at student orientation if held in the particular unit, faculty/staff meetings, correspondence with students/employees, bulletins, or through unit internal procedure manuals.

- The unit should develop internal procedures that support Institute policies and procedures to provide students, staff, and faculty direction on reporting sexual harassment
- Deal effectively and fairly with any complaints of sexual harassment in accordance with Institute policy

III. Protection of Information

Area of Risk: Protection of Information

Description of Risk: Inappropriate handling of private student information can (1) result in lawsuits, fines, and penalties for violations; and (2) cause adverse publicity.

Criteria: Much of student academic data is covered by the Family Education Rights and Privacy Act (FERPA), which protects student rights with regard to educational records maintained by the Institute. Students have a right of access to their educational records; they have a right to challenge inaccurate information or information that might violate privacy; and have a right to be notified of their privacy rights.

Only certain Institute employees may have access to personally identifiable student information without student consent. These employees sign a statement that all student data obtained through the Warehouse is to be considered "Confidential" and that no personally identifiable information should be released without the written consent of the individual student. Further, the statement warns that failure to comply with FERPA guidelines will result in the loss of access privileges to the employee and possible loss of Federal Funds to the Institute.

Auditor's Overview: The purpose of reviewing this area is to ensure that campus units have in place a system to protect private student information.

Best Practices:

1. The unit head communicates the importance of the protecting personal student information.
2. Secure private student information maintained by the unit.
3. Develop internal policies and procedures an access to and release of personal student information.

Process:

SET THE TONE AT THE TOP

Ensure that everyone in the unit understands that the unit's internal policy relative to access and release of personal student information.

SECURITY

The unit should identify and classify student information as personal and employ a means to secure the information during business and non-business hours. If the information is maintained in hardcopy, the information should be stored in a facility secured by a lock or if the information is maintained in an electronic format, access to the electronic files should be restricted within the

system to prevent individuals without a legitimate business need for the information from gaining access to the information.

DEVELOP AND EXECUTE PROTECTION OF INFORMATION PROCEDURES

Responsible unit staff should familiarize themselves with FERPA requirements. The FERPA policy can be located at: <http://www.catalog.gatech.edu/genregulations/ferpa.php>

Document the unit's protection of information procedures in internal policies and procedures.

Periodically communicate the subject in staff/faculty meetings to refresh individuals on student information privacy.

Develop an awareness campaign to inform students and parents of information maintained by the unit and your commitment to protect personal student information.