

Attachment C. Listing of Background checks

The Subcontractor must complete these checks prior to the individual having any direct contact with the youth and every two years thereafter. For those individuals that have resided in Nebraska for less than five years, or currently residing in another state, the Contractor must perform equivalent background checks in the state(s) of previous or current residence. If no such systems exist in those states or jurisdictions or the states do not provide the information, the Contractor must complete state and local criminal history checks. If the prior state of residence does not maintain a: Sex Offender Registry; Child Abuse and Neglect Central Register; an Adult Abuse and Neglect Central Register, or any such similar registry, the Contractor must complete criminal history checks in the cities and states of previous residence.

The Contractors may use volunteers or student interns to have contact with children and their families or to assume some role in carrying out a safety plan for the family. A volunteer is referred to as someone volunteering for the Contractor; does not include the family's informal support network. The Contractor must complete the same background checks on any such volunteer or intern.

A. The Nebraska State Patrol Sexual Offender Registry

The Subcontractor must check the Nebraska State Patrol Sexual Offender Registry. The Subcontractor must try to obtain access for all three levels of the Registry. At a minimum, a search must be conducted on Level 3. If the Subcontractor is not able to gain access to Level 1 and Level 2 on the Registry, notification must be provided to Boys and Girls Home as to the attempts made and the reason access was denied. If an individual appears on the Sexual Offender Registry, they will not be considered for employment. If an applicant has resided in another state within the last two (2) years the Subcontractor must conduct a background search on that state's Sexual Offender Registry.

B. Nebraska Child and Adult Abuse and Neglect Central Register

The Subcontractor must obtain a release of information form from the applicant that allows a check to be completed on the Central Registry for Child Abuse and Neglect and Adult Abuse and Neglect. If an individual appears on the Registry, they will not be considered for employment. The Subcontractor must inform Boys and Girls Home if they feel an expungement for the applicant is appropriate. Boys and Girls Home will then submit the request to the Department.

C. Nebraska Department of Motor Vehicles

This is a computerized system that will provide access to individual driving records. The Subcontractor is responsible for utilizing the process developed by Boys and Girls Home to review an individual's driving record if 6 or more points have been assessed to their driving record within the previous 12-months. That information will be assessed relation to the job duties and responsibilities for the position the individual is being considered for. The Subcontractor will review all such applicants with Boys and Girls Home before making a final determination.

D. References

The Subcontractor must obtain references regarding the applicant in accordance with its normal business practices.

E. Nebraska Department of Corrections (www.corrections.state.ne.us)

The Subcontractor must conduct a check on all applicants on the Nebraska Department of Corrections website.

F. Local Law Enforcement and National Criminal History Check

This is a records search by individual name, date of birth, and Social Security number. If an individual has lived in another state, the Subcontractor must contact that state to obtain criminal history background.

G. College Credentials

- a. Verification of the employee's education (college degree) must be maintained by the Subcontractor in the employee's personnel file.
- b. Providers of direct services must meet the minimum education/certification requirements as outlined in implementation of any Evidence Based or Promising Practice.
- c. The Subcontractor will make all attempts to hire culturally competent staff based on the demographics of the community for which the employee is working.

H. E-Verify Program

The Subcontractor shall use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designed by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

I. Google or other appropriate search engines

Google or other appropriate search engines to be searched to support general observations and points of concerns.

J. Drug Test for Service Coordinator Supervisor, Service Coordinator and staff providing transportation to children, youth and families under the Master Contract/this Agreement. The Subcontractor must make arrangements with a qualified professional for the purpose of conducting drug tests. The criteria listed below must be applied when drug tests are completed.

- a. The sample will be tested qualitatively for at least the following substances:
 - i. Amphetamines
 - ii. Cocaine metabolite
 - iii. Marijuana
 - iv. Opiates
 - v. Phencyclidine PCP

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- b. Positive initial positive screening results will comply with DHHS policies and procedures regarding the handling of these results.
- c. The Subcontractor must comply with all state and federal laws requiring or allowing reporting of positive test results to professional licensing boards, regulatory bodies, or other appropriate oversight entities.

The Subcontractor will complete initial background checks before the individual has direct contract with any youth.

1. If a background check results in a record being identified, the Subcontractor shall not allow the individual to have direct contact with any youth.
2. All background check documentation shall be maintained in staff personnel records.
3. If a background check results in a record being identified, the Subcontractor shall develop a process to review and determine if they want to request an exception. An exception is to be written and forwarded to the Quality Assurance Staff in the respective area, along with supporting documentation as to why they believe that such person does not pose a threat to children and families. Quality Assurance staff under the direction of the Service Area Manager will review and process the exception with DHHS, as applicable. The Subcontractor shall utilize the criteria set forth in DHHS Policy 390NAC 7-004.02d 2 and 3 when a background record is identified. Boys and Girls Home in collaboration with the Department will have 45 days to respond to such an exception.

Any Subcontractor is required to report within 24-hours of becoming aware of a situation applying to the above mentioned background checks to the Service Area Manager any arrest or convictions of an employee who may have contact with children, youth and families in the performance of this contract.