**CHILD AND FAMILY SERVICE OF SAGINAW COUNTY**

**DETERMINING SUITABILITY FOR INTERACTING WITH MINORS POLICY**

**Purpose:** This policy provides guidelines to assure the safety of participating minors[[1]](#endnote-1) with any covered individuals[[2]](#endnote-2) such as staff, contractors of volunteers who have interaction[[3]](#endnote-3) with these minors through Child and Family Services, including the Sexual Assault Center and the activities under the award[[4]](#endnote-4).

To ensure the safety of participating minors, or all individuals under 18 years of age accessing services, it is the policy of Child and Family Services to have staff, consultants, contractors, interns or volunteers of the Sexual Assault Center complete specific background clearances. In addition, there are a set of factors and considerations in determining individual’s appropriateness to work with minors that must be adhered to.

1. Background Checks
   1. Required Background Checks must include review of information from:
      1. Dru Sjodin National Sex Offender Registry
      2. Michigan Public Sex Offender Registry
      3. Child abuse Central Registry Check
      4. Michigan Internet Criminal History Access Tool (ICHAT)
      5. E-Verify
   2. Additional background checks must be completed for each State that an individual has identified that they have either worked at, lived in, or attended school in within the last five (5) years. These additional background clearances required are:
      1. State Sex Offender Registry
      2. State Child Abuse Registry
      3. State Criminal History Registry
   3. Initial background clearances are to be completed no earlier than 6 months prior to hire.
   4. Reexaminations of the same background checks, except E-Verify, to determine continued suitability to work with minors must take place every 5 years or sooner in the event of learning information that may reasonably suggest unsuitability of an individual.
   5. Factors and considerations for determining suitability to work with minors:
      1. An individual MAY NOT be considered suitable to work with minors if the individual providing the service does any of the following:
         1. Withholds consent to a criminal history search
         2. Knowingly makes a false statement that affects any searches required
         3. Is an identified sex offender on the Dru Sjodin National Sex Offender Public Website
         4. Has a federal, state, tribal, or local law misdemeanor or felony conviction in any of the following crimes (or a substantially equivalent offense):
            1. Sexual or physical abuse, neglect or endangerment of an individual under the age of 18 at the time of the offense
            2. Rape/sexual assault, including conspiracy to commit rape/sexual assault
            3. Sexual exploitation, such as through child pornography or sex trafficking
            4. Kidnapping
            5. Voyeurism
         5. Has been determined by a federal, state, tribal or local government agency not to be suitable.

1. *Participating minor* is all individuals under 18 years of age within the set of the individuals described in the scope section of this condition as it appears on the award document are participating minors.

   [↑](#endnote-ref-1)
2. *Covered individual* is any individual (other than a participating minor) as defined in this condition, or a client of the grantee/contractor who is expected, or reasonably likely, to interact with any participating minor (other than the individual’s own minor children). A covered individual need not have any particular employment status or legal relationship with the grantee/contractor. Such as an individual might be an employee of grantee/contractor, but also might be (for example) a consultant, employee of a contractor, trainee, volunteer, or teacher. [↑](#endnote-ref-2)
3. I*nteraction* includes physical contact, oral and written communication, and the transmission of images and sound, and may be in person or be electronic (or similar) means. But interaction does NOT include:

   Brief contact that is both unexpected by the grantee/contractor and unintentional on the part of the covered individual (such as might occur when a postal carrier delivers mail to an administrative office).

   Personally-accompanied contact – that is infrequent or occasional contact (for example: by someone who comes to make a presentation) in the presence of an accompanying adult, pursuant to the written policies and procedures of the grantee/contractor that are designed to ensure that (throughout the contact) an appropriate adult who has been determined to be suitable pursuant to this condition will closely and personally accompany, and remain continuously within view and earshot of the covered individual. [↑](#endnote-ref-3)
4. *Activities under the award* refers to the following: whether paid for with federal funds from the award, “matching” funds included in the approved budget for the award, or “program income” for the award as defined by the (DOJ Part 200 Uniform Requirements), activities under the award include both:

   Activities carried out under the award by the grantee/contractor; and

   Actions taken by an entity or individual pursuant to a procurement contract. [↑](#endnote-ref-4)