

CWP Policy and Procedure Manual

Program: CWP General Policy and Procedures	Section: 2-70
Subject: CWP Criminal Background Check Policy	Effective Date: 4/1/07 Interim Revision: 5/20/18

A. Purpose

To set forth policy regarding the use of criminal background checks in youth serving programs administered by Capital Workforce Partners (CWP).

B. Definitions

Background check is a term used for the process of acquiring information about an individual through third-party services, government organizations and/or private individuals to determine appropriateness of hiring that individual in the workforce system. The information obtained during a background check can include the individual's employment, credit, or past history, however, the most common usage refers to **criminal records** which are what Capital Workforce Partners (CWP) requires with regard to hiring contracted staff that has direct and ongoing contact with youth under the age of 18.

A **criminal record** is a compilation of an individual's identification, arrest, conviction (law), incarceration, legal status, sex offender registration, warrant information, and other relevant criminal history which are maintained and updated on the local, state, and federal levels by various law enforcement agencies.

An **up-to-date criminal background check** is defined as having been performed within the last three (3) years up to and including the first day of direct youth contact/service.

C. Policy

All staff members having direct and ongoing contact with youth under the age of 18 in a CWP contracted organization must have an up-to-date criminal background check on file subject to monitoring or request by CWP staff. Staff members must have a criminal background check performed on them *before* they begin serving youth in any CWP contracted program.

Any CWP contracted organization found to have staff with the disallowed offenses listed below engaged in working with youth under 18 will be automatically considered noncompliant and immediate action, including a corrective action or dissolution of the contract, will occur.

1. Scope:

- a. Criminal background checks must encompass any non-juvenile (closed), criminal convictions during the staff person's lifetime;
- b. Criminal background checks must include, at a minimum, the entire state of Connecticut. If the staff person has listed other states of residence on their employment application, a criminal background check must be performed in those states as well;
- c. Criminal background checks must be performed on contracted staff every three (3) years to remain current. If a background check was performed within the last three years, and the results were favorable, the staff member may be allowed to directly serve youth until the three years has expired. A new criminal background check must be performed before the expiration date if the individual will remain as contracted staff serving youth under age 18. If there are found to be any lapses between favorable background checks, the individual must be removed from performing contracted work with youth.

CWP Policy and Procedure Manual

Program: CWP General Policy and Procedures	Section: 2-70 page 2
Subject: CWP Criminal Background Check Policy	Effective Date: 4/1/07 Interim Revision: 5/20/18

2. Offenses which would result in CWP contracted program staff being prohibited to work with youth under the age of 18:

- a. Any crimes against children
- b. Any sexual offenses
- c. Assaults, battery or any other crime of violence
- d. Kidnapping
- e. Lewd conduct
- f. Larceny (within 5 years)
- g. Felony drug convictions (within last 5 years)
- h. Misdemeanor drug convictions (within the last 2 years)
- i. Weapons violations
- j. At the discretion of CWP: Any offense not listed here that may potentially put a youth's safety at risk or might interfere with the staff person's ability to act as a positive adult role model.

3. Types of background checks REQUIRED:

- a. *Criminal Background Check* (see below for types of checks allowed under this policy)
- b. *Connecticut Sex Offender Registry:*
http://www.communitynotification.com/cap_office_disclaimer.php?office=54567

4. Types of criminal background checks ALLOWED:

Connecticut Department of Public Safety:

- a. *Connecticut State Police Bureau of Identification, Criminal Conviction Record Check:*
This is a criminal conviction record check that will offer results of criminal convictions in the state of Connecticut for the lifetime of anyone born post 1928. It encompasses the whole state of Connecticut and is up-to-date and comprehensive. The cost may be charged to the contract. Request forms can be found online
http://www.ct.gov/despp/lib/despp/reports_and_records/dps-0846-c_criminal_history_record_request_form_rev_12-01-17.pdf
- b. *Out of State Records Inquiries:*
Organizations needing to check criminal records outside of the state of Connecticut can access other state departments of public safety through this website:
<http://www.statelocalgov.net/>

D. IMPORTANT:

CWP recognizes that there are many private companies that implement criminal background checks online or otherwise. However, CWP cannot recommend or approve the use of any criminal background check other than those listed above offered through state departments of public safety.

CWP also recognizes that because of the nature of state department processes, performing a background check on an employee may result in unforeseen delays. In these cases, it will be imperative for contracted organizations to use staff with favorable background checks in their service to youth in place of those without completed checks until said checks are in place.

The CWP contracted organization may not share the results of the criminal records check with

CWP Policy and Procedure Manual

Program: CWP General Policy and Procedures	Section: 2-70 page 3
Subject: CWP Criminal Background Check Policy	Effective Date: 4/1/07 Interim Revision: 5/20/18

anyone other than those with a "need to know." This would include only people making the determination whether or not to hire or retain the candidate in the grant-funded position. The results of criminal background checks, including any related communications about an individual, are considered confidential information. Once received, the information on the candidate should be maintained in a confidential file, with limited access.