

BACKGROUND CHECK REQUEST (301CCA-Appl.)

Child-Caring Agency Proctor Foster Parents Only

This form is to be used to assist in gathering information to be entered into the CRIMS system.

The instructions for the Qualified Entity Designee (QED) are available separately in form MSC 301CCA-Appl. QED-Instructions.

The instructions for the Subject Individual (SI) are attached to this form and must be given to the SI.

Section 1 — Information needed by QED to complete the “Create New” page in CRIMS:

1. QE (agency) name:
2. QED name:
3. Application type in CRIMS to use: <u>CCA foster parent</u> .
4. Start date for position (<i>mm/dd/yyyy</i>):
5. Position title: CCA Foster Parent
6. Description of duties (<i>provide specific details of what the position requires</i>):
<hr/> <hr/>
7. Position requires direct contact with (<i>select all that apply</i>):
<input type="checkbox"/> Children <input type="checkbox"/> Seniors (<i>65 years and older</i>) <input type="checkbox"/> Confidential information <input type="checkbox"/> Secure facilities <input type="checkbox"/> Finances/financial records <input type="checkbox"/> Information technology systems
8. Do the duties require driving? <input type="checkbox"/> Yes <input type="checkbox"/> No
9. Type(s) of documents checked to verify identity (<i>check all that apply</i>), then initial: _____
<input type="checkbox"/> Driver's license or state ID <input type="checkbox"/> Social Security card <input type="checkbox"/> Passport <input type="checkbox"/> Other: _____
10: Worksite locations/address for this position (<i>enter all if multiple</i>):
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Complete Section 1; then give the SI pages 2-4 to complete WITH pages 6-9 Instructions

Section 2 — To be completed by the CCA Foster Parent.

READ INSTRUCTIONS CAREFULLY

Instructions for this form are on pages 6 – 9. If not received, contact the agency where you are applying.

11. Individual name: (Last/First/Middle)					
12. Social Security number (optional):			13. Date of birth (mm/dd/yyyy):		
14. Email address:			15. Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male		
16. Driver's license ID: State:		Number:			
17. Aliases/other names used:					
18. <input type="checkbox"/> Check only if you prefer correspondence be sent to your residential or mailing address.					
19. Residence street address:					
City:		State		ZIP code:	
Mailing address:				<input type="checkbox"/> Same as residence	
City:		State		ZIP code:	
20. Home phone:			Mobile phone:		
21. During the last five (5) years, have you been outside of Oregon for 60 days in a row or more? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the following for each residence in the past 5 years:					
Date (mm/dd/yy) Start:	Date (mm/dd/yy) End:	City:	State:	Country:	Name(s) used at this residence:
22. Have you ever been charged, arrested, adjudicated, and/or convicted of a crime? <input type="checkbox"/> Yes <input type="checkbox"/> No If you answered yes, list all charges, arrests, adjudications, and/or convictions (<i>adult and juvenile</i>) and the outcome, regardless of how long ago. Attach additional pages as needed.					
Date (mm/dd/yyyy):	Charge, arrest or conviction (list actual crime, like Theft II):	Outcome (e.g., conviction, dismissal):	City:	County:	State:

For each arrest, charge, adjudication, or conviction you list, attach extra pages and provide as much information as possible regarding the incident and outcome.

Instructions for this form are on pages 6 – 9. If not received, contact the agency where you are applying.

Section 2 — To be completed by the CCA Foster Parent (continued)

23. Have you ever been involved with an abuse or protective services investigation as an accused person, reported perpetrator or alleged perpetrator, resulting in a founded or substantiated outcome? Yes No
 Are you currently involved with an open or pending abuse or protective services investigation as an accused person, reported perpetrator or alleged perpetrator? Yes No
 If you answered yes to either question, list all abuse investigations, regardless of how long ago. Attach additional pages as needed.

Date (mm/dd/yyyy):	Type of Abuse:	Allegation	County:	State:

For each allegation you list, attach extra pages and provide as much information as possible regarding the incident.

24. Have you ever been subject to a restraining order, stalking order, gag order of any other court-issue order issued to prevent harm to a person or to prevent the release of information?
 Yes No
 If you answered yes, list all court orders, regardless of how long ago. Attach pages as needed.

Date (mm/dd/yyyy):	Description of Order	City:	County:	State:

For each order you list, attach extra pages and provide as much information as possible regarding the incident.

25. If you have potentially disqualifying convictions or conditions, the BCU must consider several factors to determine the risk of vulnerable individuals and your fitness to hold the position. Please provide any information about the details of your potentially disqualifying history, yourself, your training, education, work history, treatment and circumstances since your potentially disqualifying history that you want the BCU to weigh. Add additional pages as needed.

Instructions for this form are on pages 6 – 9. If not received, contact the agency where you are applying.

Section 2 — To be completed by the CCA Foster Parent *(continued)*

26. Signature of SI Authorizing Background Check Process and Release of Information

I have been provided pages 6 – 9 of this background check request form and have read and understand the instructions given there.

My submission of this form with my signature authorizes the Background Check Unit (BCU) to initiate a criminal records check, which may include a national criminal records check requiring fingerprints, and to receive the results from Oregon State Police and the FBI. I understand that BCU will complete an abuse check on me. I understand that BCU will check court records for any restraining, stalking, or protective orders against me.

My submission of this form with my signature authorizes BCU to request and receive any juvenile, police, court, or investigation reports needed to complete this background check. In the event BCU discovers potentially disqualifying convictions or conditions, including abuse, BCU may notify me at the address or email I have given to request additional information.

My submission of this form with my signature authorizes BCU to release information given in this background check request or position information to any criminal justice agency or investigative body as needed for investigation, outstanding warrants or supervision requirements.

I understand that pursuant to 2016 Oregon Law 106 (SB1515) that I must disclose my history of: 1) all arrests, charges, adjudications and convictions; 2) allegations of abuse or neglect; and 3) restraining orders or protective orders against me. Failure to disclose all information required may lead to background check closure or denial, either of which will result in my not receiving a certificate to be a proctor foster home provider.

By signing this form, I authorize the Department of Human Services (DHS) to release any abuse and neglect information, foster certification records, provider enrollment records, and any other required information to a designee at the child caring agency associated with this request, or the licensing authority associated with this application for the purpose of background check and certification purposes. I specifically authorize DHS to release mental health, alcohol and drug treatment and medical records contained within any of the files or records listed above. This authorization is valid until the date the certification process to be a proctor child foster home parent ends or the certification itself ends, whichever is later. This release is in accordance with Oregon Law 2016 chapter 106 (SB1515).

I authorize BCU to process this background check request. I certify that all statements I have made are currently accurate. I understand that I need to disclose any new information that occurs after I submit this form while the background check is still pending. I understand that if I provide false or incomplete information, my application may be closed or I may be denied the position. I understand the background check may be repeated any time while I hold the position for which this check is being done.

CCA Foster Parent signature: _____ Date: _____

Instructions for this form are on pages 6 – 9. If not received, contact the agency where you are applying.

Section 3 — Information to be completed by the QED on the “SI Summary Page” in CRIMS.

27. Has the SI disclosed any adverse criminal history occurring within the past five (5) years?

Yes No

If the answer is yes, you MAY NOT hire the SI on a preliminary basis pending the final fitness determination.

If the answer is no, you may hire the SI on a preliminary basis pending the final fitness determination, if allowed by your agency’s licensing program rules. The SI must be actively supervised in accordance with OAR 407-007-0315.

SI being hired on a preliminary basis? Yes No

I request an expedited review for hiring on a preliminary basis. The BCU may complete a preliminary fitness determination if fingerprints are required for this SI.

28. The SI has disclosed (*check all that apply*):

- Out-of-state driver’s license/state ID card
- Out-of-state residence
- Out-of-state residence within the past five (5) years
- Criminal history in Oregon or any other jurisdiction

If any of the above is checked or if you have reason to believe that the SI’s identity needs to be confirmed, fingerprints are required for this SI regardless of whether this is an initial application or a recheck.

29. QED signature:

Date:

Section 3 (page 5) to be completed by QED. Pages 6 – 9 are Instructions for the subject individual.

All documents related to this background check request (*including this form*) should be scanned and attached to the CRIMS record using the **add/edit documents** button on the SI summary page.

Background Check Request

Proctor Foster Home Applicants through a Child Caring Agency Instructions for Subject Individual (SI)

Read all of the instructions before completing the form.

As the subject of this background check, you are referred to in these instructions as the subject individual (SI). The qualified entity (QE) listed in box 1 is the child caring agency which may certify you to have a proctor foster home. The qualified entity designee (QED) has received training from the Department of Human Services Background Check Unit (BCU) for background checks: the QED is usually your contact for doing this background check.

In 2016, the Oregon Legislature passed a law regarding child caring agencies and proctor foster parents. The new law

- **You must disclose all criminal history: adult and juvenile, all charges, arrests, adjudications, convictions, or any criminal court action;**
- **You must disclose all abuse investigation history if you were identified as the alleged or reported perpetrator: any type of abuse, regarding any vulnerable individuals (children, elderly, individuals with disabilities, etc.), including any pending or open investigations;**
- **You must disclose all court orders against you to protect individuals or information. These include but are not limited to: restraining orders, elder abuse orders, protective orders, stalking orders, gag orders, etc.**
- **Failure to disclose criminal, abuse, or court order shall result in background check closure or denial, either of which will result in not receiving a certificate to be a proctor foster home provider.**
- **BCU must provide the child caring agency submitting this background check request with information about any abuse or neglect investigations in which you are listed as the reported or alleged perpetrator, and which is either substantiated/founded against you or is still being investigated.**

Section 2 – You, the SI, complete this section.

11. Type or print your complete name.
12. The disclosure of your Social Security Number (SSN) is optional. The BCU requests the SSN or INS number solely for the purpose of positively identifying you during the background check process. If you do not provide a SSN, the BCU may request fingerprints to confirm identity.
13. Enter your date of birth (mm/dd/yyyy).
14. Enter your email address.
15. Check the box for your gender.

16. Enter your driver license or state ID, listing the state and the number.
17. Type or print all aliases or other names you have ever used.
18. Check this box only if you prefer to have correspondence from BCU sent to your mailing address rather than email. *BCU will send any correspondence via regular mail if it contains confidential information.*
19. Type or print your residence address. If you have a mailing address that is different from your residence, type or print it.
20. Type or print the phone numbers where you can be reached.
21. If you have lived outside of Oregon in the past 5 years for more than 60 days in a row, check the “yes” box and provide details of your previous residences. If you have lived in Oregon for the entire past 5 years, check the “no” box and go to #22.
22. Provide information on your criminal history. If you have never been arrested, charged, or convicted, check the “no” box and go to #23.

Disclose all criminal history — You must accurately and completely disclose all history (*adult and juvenile*) regardless of how long ago it happened. This includes all felonies, misdemeanors, probation violations and failures to appear. If you fail to list any part of your history, your application may be closed or you may be denied due to false statement.

Any serious traffic offenses such as reckless driving, driving under the influence of intoxicants (DUII) and driving while suspended (DWS), must be listed. Failure to appear, even for a minor traffic violation, must be listed.

If you are not sure if something should be listed, you should list it. For each charge, arrest, adjudication, or conviction, include the exact date (*mm/dd/yyyy*), location and the outcome. If you do not remember the exact date, round to the nearest month or year (for example, if the date was sometime in May of 2013, use the date 01/01/2013; if the date was sometime in 2010, use the date 01/01/2010).

Expunged or set aside history — If you do not have proof the charge, arrest, conviction or adjudication has been expunged or set aside, you should list it. If BCU determines that any disclosed criminal history has been removed from your record, there is no penalty to you for disclosing it, and BCU will not consider the expunged or set aside history when conducting the background check or making a final fitness determination.

If you have any new arrests, charges, convictions, or adjudications after submitting this background check request form but before the final fitness determination:

Contact the agency where you are applying to work or hold a position. The QED will need to add this information, including any additional information you want to provide (see instructions for #25 below), to the background check request already submitted to BCU.

Violations and infractions: Minor moving and non-moving traffic violations are not required to be listed.

23. Provide information on your abuse history. If you have never been identified as a reported or alleged perpetrator in an abuse investigation, check the “no” box and go to #24.

Disclose all abuse history – You must accurately disclose all abuse history regardless of how long ago it happened. This includes any time you were identified as the reported or alleged perpetrator in an investigation of any type of abuse (physical, financial, sexual, verbal, lack of supervision, threat of harm, etc.). Include any allegation for any type of victim (child, elderly person, or individual with a disability). Include any case that was substantiated or founded against you, or that is still open or pending.

24. Provide information on your court order history. If you have never had any type of court order placed on you, check the “no” box and go to #25.

Disclose all court order history – You must accurately disclose all court order history regardless of how long ago it happened. This includes any time you were identified as the respondent or the order was against you, including but not limited to restraining orders, stalking orders, protective orders, elder abuse orders, gag orders, etc.

25. **If you have criminal, abuse, or court order history, BCU will weigh several factors to decide if you are fit for the position for which you are applying. Respond to the following questions, attaching additional pages as needed. Attach documentation to support your responses.**

- What happened leading up to the criminal abuse or court order history?
- Explain the outcome of the criminal, abuse or court order history.
- List any requirements resulting from each event.
- Describe any treatment, education and training specifically related to your history.
- How is your history relevant to your position?
- How has your life changed since your history?
- Explain how you no longer pose a risk to the physical, emotional or financial well-being of vulnerable people.
- List other information you believe would be helpful in making a decision in this case.

26. **CAREFULLY READ THE STATEMENTS IN THIS SECTION. YOUR SIGNATURE INDICATES YOUR UNDERSTANDING OF AND AGREEMENT WITH ALL STATEMENTS AND YOUR ALLOWING RELEASE OF INFORMATION BETWEEN BCU AND YOUR CHILD CARING AGENCY.** Sign and date the form. Return it to the person listed in #2 or to your contact in the agency for which you are completing this background check request.

What is potentially disqualifying — Review the Department of Administrative Services (DAS) and the Provider background check rules available at <http://www.oregon.gov/DHS/BUSINESS-SERVICES/CHC/Pages/index.aspx> for a complete list of what is potentially disqualifying. If you have potentially disqualifying convictions or other potentially disqualifying criminal conditions, you may challenge your record if you believe it to be incomplete or inaccurate. See below regarding challenging. In general, the following are potentially disqualifying:

- All criminal convictions and adjudications.
- Other current or recent criminal actions, such as probation violations, sex offender registration, current diversion, conditional discharge, parole, or probation.
- Adult protective services history of physical abuse, sexual abuse, financial exploitation, or neglect assessed on or after January 1, 2010 for which you were found to be responsible. Abuse information is provided to BCU by the Office of Abuse Prevention and Investigations and the Aging and People with Disabilities (APD) based on severity.
- Child protective services history held by the Department or any state where you lived in the past 5 years, regardless of the type of abuse or the date of the initial report, for which you were found to be responsible.
- Any restraining order or protective court order against you.

Possible outcome of your background check:

- **Approved:** Your background check is approved for the position listed on this form. An approval does not guarantee employment or placement.
- **Approved with restrictions:** Your background check is approved to work but are restricted to a specific client, a specific work site or a set of duties. This decision may be appealed. A restricted approval does not guarantee employment or placement.
- **Denial:** Based on the background check, you are denied. You may not hold the position listed on this form and you must be terminated immediately. This decision may be appealed, but you may not hold the position during the appeal.
- **Case closed:** If you do not provide a complete and accurate disclosure of your criminal history or you do not cooperate with this background check process, your application may be closed without a final decision. There are no appeal rights, but you may be able to reapply immediately.
- **Ineligible:** If you proctor foster home will be dually licensed as a mental health or developmental disability child foster home, Oregon Revised Statute (ORS) 443.004 prohibits individuals from working in certain positions if they have one or more specific convictions. A complete list of convictions is available at <http://www.oregon.gov/DHS/BUSINESS-SERVICES/CHC/Pages/HB2442.aspx>. If found ineligible, you may not hold the position listed on this form and must be terminated immediately. You do not have hearing rights. The BCU will provide more information in the email or letter sent to you.

Authority — BCU is authorized by state law, to complete background checks on SIs who work, volunteer or live with individuals who are vulnerable to abuse or mistreatment (ORS 181A.195, 181A.200, 409.027 and 443.004; OAR 407-007-0200 to 407-007-0370, OAR 943-007-000 to 943-007-0501). Vulnerable individuals include children, senior citizens and individuals with physical disabilities, developmental disabilities or mental illness.

Sources checked — BCU may check information from the Driver and Motor Vehicle Services Division, Department of Corrections, Oregon State Police, Federal Bureau of Investigation and local, state and federal courts. BCU may use information from other criminal justice, corrections and law enforcement agencies and other state and local government agencies. You may be requested to provide fingerprints for a national criminal records check.

Challenging criminal information — You have the opportunity to challenge your criminal record if you believe it has inaccuracies. If you want to obtain a copy of your record, or challenge information in the record, you must contact the Oregon State Police, 503-378-3070, extension 330 (for Oregon criminal records) or the Federal Bureau of Investigation, 304-625-3878 (for national criminal records). You may request a copy of the national FBI report from BCU. Depending on your previous contacts with law enforcement and courts, you may need to contact several sources to find your complete criminal records. Contact information for law enforcement and courts is available online using search engines.

Rechecks — **This background check process may be repeated at any time while you work, reside or otherwise continue in this position.**

If you have questions or need this form in large print or in a different format, contact the agency for which you are completing this background check.

Keep these instructions for your records.