

New Hanover County Senior Corp Programs

Procedure: Employee & Volunteer Background Checks

Scope: Management of RSVP Program

Purpose: To educate and inform employees

IMPORTANT NOTE: All Senior Corp program staff are employees of New Hanover County. As such, Senior Corp staff will follow, and be held accountable to, New Hanover County's policies and procedures. RSVP & FGP are funded through local and federal grant money. Because staff salary is funded by a grant, employment is contingent upon the continued receipt of these grant funds. Senior Corp staff cannot begin orientation nor employment until the completion of the National Sex Offender Public Website (NSOPW) and the initiation of state and/or FBI checks, as applicable.

History & Scope:

The National Service Criminal History Check (NSCHC) is a screening procedure established by law to protect the beneficiaries of national service. Since November 23, 2007, the Corporation for National and Community Service (CNCS) regulations have required grantees to perform the NSCHC on people with recurring access to a vulnerable population. Vulnerable populations include children 17 years of age or younger, persons age 60 and older, or people with disabilities.

All employees, participants, and others who receive a salary, national service education award, living allowance, or stipend under Corporation grants, even if the activities don't involve service with vulnerable populations, must receive the checks prior to beginning employment or service.

RSVP grantees are not required to conduct criminal history checks on volunteers; but are required to conduct criminal history checks on all employees who receive part or all of their salary from the RSVP grant.

Regulations have been in effect since November 2007 requiring checks on individuals in recurring contact with a vulnerable population, and expanded requirements went into effect on October 1, 2009, establishing coverage of all employees and participants, including those without contact with a vulnerable population. Since April 21, 2011, programs have been required to conduct FBI background checks on covered individuals who will have recurring contact with vulnerable populations.

Procedure:

Verify the staff or volunteer's identity using government issued photo identification.

Secure written authorization from the individual to perform the criminal history check.

Document in the hiring application that the individual is serving in a grant-funded position, and he or she is subject to the check. Signature of the application provides evidence of acknowledgement.

State and FBI checks will be obtained from CNCS designated sources. The national sex offender check will be obtained from www.NSOPW.gov. Costs associated with these checks will be covered by the program, not the individual. The sex offender check must be completed, with all states reporting, prior to orientation, employment or service. Failure for the RSVP sponsor/grantee to follow this guidance will result in disallowance of grant funds.

As with all other confidential information, checks will be in a locked area with limited access by authorized Senior Corp staff.

Employees and others who receive a salary, national service education award, living allowance, or stipend:

Employees and others who are hired after April 21, 2011 and paid from grant funds, with sporadic or recurring access to vulnerable populations, require the following checks:

- National Sexual Offender database,
- State check(s), and
- FBI check

Direct access to RSVP volunteers is not considered as having "recurring access to vulnerable populations." All paid employee positions will be individually assessed for sporadic or recurring access to vulnerable populations.

Employees may work with access to vulnerable populations, prior to receiving completed FBI and state(s) check, if accompaniment is available. An accompaniment is a staff person or volunteer who has completed all applicable checks. The accompaniment must document/verify the days, times of accompaniment attesting to their physical presence. Once all checks are received, and no issues discovered, an accompaniment will no longer be required.

Employees and others who are hired after April 21, 2011 and paid from grant funds, without access to vulnerable populations, require the following checks:

- National Sexual Offender database and
- State check(s) or FBI check

NOTE: If an employee's status changes from "no access to vulnerable population" to "sporadic or recurring access to vulnerable populations," state check(s) and FBI check must be initiated immediately. Employment will be subject to the satisfactory findings of one or more completed background checks. RSVP staff's failure to comply with **all** required background checks are ineligible for employment using any national service grant funds.

Employee candidates and volunteers have the opportunity to review and challenge any findings from the criminal background check(s) before a decision of eligibility is made.

Failure for the Senior Corp sponsor/grantee to follow this guidance will result in disallowance of grant funds.