**Suitability to Interact with Minors Policy**

As required by special conditions attached to [federal funds administered by the Office of Crime Victim Services (OCVS)](https://www.justice.gov/ovw/page/file/1202141/download) and the Department of Children and Families (DCF),       will make advance written determinations of suitability before covered individuals may interact with minors. A covered individual means any       employee, volunteer, or anyone who is expected, or reasonable likely to, interact with a participating minor.

      will update the searches described below and reexamine the covered individual’s suitability determination every five years. In light of those search results,       will, if appropriate, modify or withdraw the covered individual’s suitability determination.       will reexamine a covered individual’s suitability determination when learning of information that may suggest unsuitability, and when appropriate, modify or withdraw that determination.

**Required Searches**

Within one month of date of hire and prior to any covered individual interacting with a minor,       will complete the following searches[[1]](#footnote-1):

**Public Sex Offender Registries**

* [Dru Sjodin National Sex Offender Public Website](https://www.nsopw.gov/)
* [Wisconsin Sex Offender Registry](https://appsdoc.wi.gov/public)
* Any other state (or tribal, if applicable) registry where the covered individual has lived, worked, or attended school within the last five years.

**Criminal Background Checks: DOJ Required**

* [Wisconsin Department of Justice Federal Bureau of Investigation (FBI) and Crime Information Bureau (CIB) Fingerprint-Based Background Check](https://recordcheck.doj.wi.gov/).
* Criminal background checks for any other state the covered individual has lived, worked, or attended school within the last five years.

**Criminal Background Checks: DCF Required (at this time, DCF is not requiring Fingerprint-Based Background Checks)**

* Wisconsin Department of Justice Criminal Background check (caregiver background check)
* Criminal background checks for any other state the covered individual has lived, worked, or attended school within the last five years.

**Factors and Considerations in Determining Suitability**

      will consider the information from the searches described above when making a determination regarding suitability. Specifically,       will not determine that a covered individual is suitable to interact with participating minors if the covered individual:

* Withholds consent to a criminal background check as required by this policy
* Knowingly makes (or made) a false statement that affects, or is intended to affect, any search described in this policy
* Is listed as a sex offender on the Dru Sojdin National Sex Offender Public Website, the Wisconsin Sex Offender Registry, or any other state (or tribal, if applicable) registry where the covered individual as lived, worked, or attended school within the last five years.
* Has been convicted – whether as a felony or misdemeanor – under federal, state, tribal, or local law of any of the following crimes (or any substantially equivalent offense, regardless of the specific words by which it may be identified by law):
  + Sexual or physical abuse, neglect, or endangerment of a person under the age of 18 at the time of the offense;
  + Rape/sexual assault, including conspiracy to commit rape/sexual assault;
  + Sexual exploitation, such as through child pornography or sex trafficking;
  + Kidnapping;
  + Voyeurism; or
* Is determined by a federal, state, tribal, or local government agency not to be suitable.

**Ban the Box**

[Ban the Box](https://www.shrm.org/resourcesandtools/hr-topics/talent-acquisition/pages/lawmakers-introduce-national-ban-the-box-bill.aspx) promotes employers to not ask about arrest history and to remove the question about criminal history from the initial job application forms. Instead, the question about criminal history should be asked during the face-to-face interview or after a conditional job offer has been made to the applicant contingent upon the criminal background check. This is a best practice not only to reduce recidivism for people with criminal records but is also important for racial justice, with the over-policing and incarceration of communities of color.

1. For current staff, the required searches will be completed as soon as possible and will then be reexamined every five years as described above. [↑](#footnote-ref-1)