**Suitability to Interact With Minors Procedures**

The Office of Justice Programs requires awardees and subawardees of grants (both referred to as “grant” within these procedures) from the Department of Justice Office of Victims of Crime and Office on Violence Against Women to make determinations of suitability before covered individuals may interact with participating minors.

To comply with this award requirement and the Suitability to Interact with Minors policy, the University of Iowa will follow the procedures below.

The Division of Sponsored Programs (DSP) will inform the Principal Investigator (PI) on the grant of the award condition and confirm the applicability of the grant requirement with the PI via email. The PI provide DSP with requested information to allow DSP and the PI to determine the applicability of the suitability to interact with minors requirement.

Upon written determination that the suitability to interact with minors grant requirement applies to individuals conducting activities in connection with a grant, DSP will notify the Senior HR Director in the Department associated with the grant. It is the responsibility of the PI to inform the Senior HR Director of the names of the employees and volunteers who frequently interact with minors. The Senior HR Director or designee will then conduct the appropriate checks and make a written determination of suitability in accordance with the Policy and these procedures.

1. **Notice of Suitability Screenings and Determinations**

All individuals who are subject to the suitability to interact with minors grant requirement will be informed that determinations of suitability must be made by the University of Iowa prior to the individual interacting with participating minors. Individuals will be provided notice of the public website searches and will be asked to provide information regarding the states where they have lived, worked, and attended school, as well as any former names. Individuals will be asked to provide consent to the required fingerprint searches.

The Senior HR Director or designee shall notify University HR and the Office of General Counsel if any volunteer or staff member refuses to provide consent to the suitability screenings.

The Senior HR Director or designee shall notify the Office of the Executive Vice President and Provost and the Office of General Counsel if any faculty member refuses to provide consent to the suitability screenings.

1. **Suitability Screenings**

The Senior HR Director or designee in the Department associated with the grant will conduct the screenings necessary to make a suitability determination. This screening must include:

* A name search of the public state sex offender websites and registries
  + The search must include the covered individual’s current name, and, if applicable, any previous name(s) or aliases.
  + The search must include the public sex offender websites and registries for every state in which the individual has lived, worked, or gone to school at any time during the previous five years.
  + The search must include the public sex offender websites and registries for every state in which the covered individual is expected or reasonably likely to interact with participating minors in the course of activities under the award.
  + The Senior HR Director will use HireRight to search all states where the individual has lived, and will conduct a manual search of any additional state where the individual has worked or attended school.
* A name search of the Dru Sjodin National Sex Offender Public Website (www.nsopw.gov)
  + The search must include the covered individual’s current name, and, if applicable, any previous name(s) or aliases.
  + The Senior HR Director will use HireRight to complete the search of the Dru Sjodin National Sex Offender Public Website.
* A name search of the public state child abuse websites/registries
  + The search must include the covered individual’s current name, and, if applicable any previous name(s) or aliases.
  + The search must include the public child abuse websites and registries for every state in which the individual has lived, worked, or gone to school at any time during the previous five years.
  + The search must include the public child abuse websites and registries for every state in which the covered individual is expected or reasonably likely to interact with participating minors in the course of activities under the award.
  + Iowa does not have a public website or registry for child abuse offenders.
  + The Senior HR Director will manually search public child abuse registries for all other states where the individual has lived, worked, or gone to school in the previous five years. The Senior HR Director may consult with the Office of General Counsel for advice on whether a state’s child abuse registry is public.
* A fingerprint search with an FBI national criminal history search.
  + The search must include every state in which the individual has lived, worked, or gone to school at any time during the previous five years.
  + The search must include every state in which the individual is expected or reasonably likely to interact with participating minors in the course of activities under the award.
  + The fingerprint search may be run through FieldPrint, which will capture the individual’s consent to perform the background checks.
* All searches must be completed no earlier than six months before the suitability determination.
* The suitability screening does not supplant the criminal background check done at the point of hire; this is in addition to those requirements.
* Grant funds can be used to pay for the costs of the screening, provided such funds are reasonable, necessary, and allocated.

1. **Decision-Making Criteria/Considerations**

­The Senior HR Director in the Department associated with the grant must consider the results of the screening in making suitability determinations.

Unless prohibited by law, an individual will be deemed unsuitable if the individual:

* Withholds consent to a criminal history search as required;
* Knowingly makes a false statement that affects, or is intended to affect, any search as required;
* Is listed as a registered sex offender on the Dru Sjodin National Sex Offender website or any state public sex offender registry;
* Has been convicted of any misdemeanor or felony, under federal, state, tribal or local law, for any of the following crimes, including:
  + Sexual or physical abuse, neglect or endangerment of an individual under the age of 18 at the time of the offense;
  + Rape or sexual assault, including conspiracy or attempt to commit rape or sexual assault;
  + Sexual exploitation, including child pornography or sex trafficking;
  + Kidnapping at any level;
  + Voyeurism; or
  + Is determined by another federal, state, tribal or local government agency to be unsuitable pursuant to this certified assurance.

1. **Written Determination of Suitability**

­The Senior HR Director in the Department associated with the grant will make a written determination of suitabilitybefore the covered individualmay interact with participating minors. This determination must be based on the suitability screenings and the factors and considerations as outlined above.

The Senior HR Director or designee may consult with the University HR and the Office of General Counsel in making determinations of suitability. When the suitability screening reflects a criminal conviction or one of the above mentioned factors, the Senior HR Director or designee shall consult with:

* + For staff positions outside of UI Health Care, University HR and the Office of the General Counsel;
  + For UI Health Care staff positions, UI Health Care HR and the Office of the General Counsel;
  + For faculty positions, the Office of the Executive Vice President and Provost and the Office of the General Counsel; and also may consult the associate dean for faculty for the college.

Written determinations of suitability must be conducted at a minimum of every five years during the term of the grant, or sooner upon learning of information that may reasonably suggest unsuitability (e.g., no recent check was performed, a workplace incident has occurred, upon self-disclosure of criminal activity, or upon the university being informed of such activity).

1. **Record Keeping**

All suitability search files and written determinations of suitability will be maintained by the Senior HR Director.

* Employee search results will be maintained as part of the individual’s human resources personnel file.
* Volunteer search results will be maintained in a separate file maintained by the Senior HR Director.

The General Counsel, Executive Vice President and Provost, Chief Human Resources Officer, or designee(s) shall determine whether a request for access to suitability records shall be granted.