

Monarch Family Services

Policy and Procedures on Background Checks

All Monarch Family Services' employees, prospective adoptive parents, frequent visitors, household members over 14, back-up caregivers, respite, subcontractors, and volunteers will submit to a background and fingerprint check as required by Rule §745 and the Adam Walsh Fingerprint Act.

The Executive Director will submit criminal abuse and neglect history information for background checks electronically through the DFPS Automated Background Check System (ABCS) according to the instructions in the user guide located at:

<http://www.dfps.state.tx.us/documents/PCS/ABCSUserGuideFY09.pdf>.

Disclosure and Release

The Executive Director will disclose and release, or cause its employees, subcontractors, and volunteers with direct child contact and/or access to child/adoptive home records to disclose and release, any allegation made against that employee, subcontractor, or volunteer alleging the commission of:

- an act of abuse, neglect, or exploitation of children, the elderly, or persons with disabilities;
- criminal history or any current criminal indictment (for felonies) or information (for misdemeanors) involving an offense under the Texas Penal Code against:
 - the person;
 - the family;
 - public order or decency;
 - public health, safety, or morals; or
 - property;
- an offense under Chapter 481 of the Texas Health and Safety Code (Texas Controlled Substances Act); or
- any act or offense that can reasonably be associated with potential risk of harm or loss to DFPS and/or its clients based on the job duties or contractual role(s) of the person in question.

Method of Disclosure and Release

Such disclosure and release is required of all individuals who have, or will have, direct contact with children and/or access to child/adoptive home records, prior to such contact or access and will be accomplished through the use of:

- a criminal history background check;
- a DFPS abuse and neglect history check; and
- a signed disclosure and release by each person attesting to this information, which will be maintained by the Executive Director (or designee), available for review by DFPS, and renewed at intervals not to exceed 24 months.

Direct Contact with Children

The Executive Director will prevent or promptly remove any employee, subcontractor, or volunteer from direct child contact and/or from access to child/adoptive home records that is alleged to have committed any act listed above. If it is determined with certainty that the person in question has not committed the acts or offenses alleged that person may again be assigned to direct child contact and/or access to

Monarch Family Services

child/adoptive home records. However, the Executive Director will notify the Department of the intent to do so no later than ten (10) business days and receive DFPS approval prior to the reassignment. The Executive Director must provide DFPS with further information concerning the reasons for the reassignment upon the request. If the person in question is found to have committed any of the acts or offenses listed above, that person will not be reassigned to duties involving any direct contact with children and/or access to child/adoptive home records.