

BOARD OF REGENTS
BRIEFING PAPER

Agenda Item Title: Amendments to the Board of Regents Handbook, Title 4, adding a new Chapter 22 on Child Protection Policies and amending Title 4, Chapter 3, Section 46 on

Feb. 28Mar. 1, 2013

1. BACKGROUND & POLICY CONTEXT OF ISSUE:

The Board of Regents requested a review and report regarding the findings in the I State Report issued in July 2012. All institutions reviewed the Penn State Report and provided input regarding measures already in place for the protection of children and making recommendations for enhancement of these measures. A comprehensive report

- x Mandatory reporters of child abuse and neglect are already subject to the state requirements, so there is no need for NSHE to adopt additional policy.
- x

not include events (such as concerts, plays, sporting events) or facilities (such as restaurants or stores) that are open to the public.

Section 4.

Child and family Services toll-free telephone number and/or other law enforcement telephone numbers to receive reports of child abuse or neglect;

- g) Conduct appropriate investigations of all incidents of alleged child abuse or neglect, and provide confidential notice of such incidents to the Chancellor and Chair of the Board of Regents.*

PROPOSED REVISIONS -BOARD OF REGENTS HANDBOOK
TITLE 4, Chapter 3, Section 46
Background Check Policies

Additions appear in boldface italics, deletions are ~~stricken~~ and bracketed]

Section 46. Background Checks [of ~~Childcare Workers and Volunteers~~]

1. Required Background Check of Childcare Workers and Volunteers.

- a. Each institution with a childcare facility shall comply with all licensing and background check requirements established in state law. To the extent the Board of Regents policy conflicts with any state law requirements, or if applicable, any local licensing requirements, the provisions of state law or applicable local licensing ~~requirements~~ **control**.
- b. An employee who has submitted the necessary application to the state (or where permitted by law, a local licensing authority) may commence work in a childcare facility prior to completion of the background check if the employee is: 1) not left alone with children (meaning another employee is always present); or 2) has successfully completed an initial background check of criminal history by obtaining a current sheriff/police card through the County/City, or by means of an investigation of criminal history by a national criminal background check firm.
- c. Any individual, whether volunteer or part-time, not requiring a background check under state law must: 1) not be left alone with children (meaning another employee is always present) or 2) complete a criminal background check by obtaining a sheriff/police work card through the County/City, or by means of an investigation of criminal history by a national criminal background check firm.

2. Application Requirements

- a. Any prospective volunteer or employee in a childcare facility must complete an application for the consideration of employment or volunteer activities. The applicant must disclose 1) any prior convictions, whether or not expunged or based on a no contest plea, except for minor ~~traffic/parking~~ offenses; 2) current use of illegal drugs ~~and~~ 3) arrest involving offenses related to child abuse or exploitation, child pornography, sexual

3. Payment for Cost. Outside persons (non-NSHE personnel) may be required to pay for the cost of the background