

Child and Family Services Policy Manual: Reference Information
Background Checks for Employees of CFSD

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| CFSD Employee | Any individual who is employed by the Child and Family Services Division. |
| Child Protective Services (CPS) Background Check to include Out-Of-State Checks | A registry containing the names of child protective services clients with a substantiated case of child abuse is maintained within the Child and Adult Protective Services System (CAPS). The background check results are generally available within 24 hours. |
| Criminal Background Check (CBC) | A name based records check using the Criminal Justice Information Network (CJIN) performed by the Montana Department of Justice or a companion agency in another state. CBC results are generally available within 24 hours. |
| FBI Fingerprint Check | National background checks are conducted by the Federal Bureau of Investigations Results may take 10 to 14 business days. |
| Driving Record Check | Driving Records Check conducted by the Dept of Motor Vehicles (DMV). |
| New CFSD Hires | A CAPS, CBC, FBI fingerprint and driving record check are required for all new hires. The records will be reviewed to determine whether the applicant has been convicted of any criminal acts that are directly related to the responsibilities of the prospective position, or if the applicant has any involvement with the CPS system, which would be relevant to the position. |
| Transfers to MPEA Qualifying Positions | A CBC and Driving Record check is required for all MPEA qualifying position transfers (i.e., Centralized Intake, Child Protection Specialist and Family Group Decision Making Coordinator). |
| Other Internal Transfers/ Promotions | Internal transfers / promotions within the division will be required to complete the CBC, CAPS and DMV check. |
| Release form and vacancy notice | A clear statement notifying the applicant of the requirement for a background check will appear on the position announcement. Only the selected applicant will be required to sign a release |

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form authorizing the division to conduct the background check.

Contingency Job Offer Letters (For Social Workers only)

The CFSD applicant selected for the position will receive a contingency letter indicating the job offer is contingent upon the results of the background check. The offer of employment will be rescinded if the applicant does not pass the background check.

Background Check Results

Relevant felony history, or substantiation of child abuse or neglect will be reviewed and the applicant will be given an opportunity to challenge the accuracy of the report and contact information to get the report corrected. All background checks will be reviewed in accordance with EEO guidelines (e.g., reviewing the nature and severity of the crime, relation of the crime to the prospective job, and time lapsed since the crime occurred. As a general rule, any applicant who has a relevant felony criminal history or who has a substantiation of child abuse or neglect will be disqualified.

Selected applicants refusing to complete a background check will not be advanced in the selection process.

Existing Employees

Any employee of the Child and Family Services Division who is reported as the alleged perpetrator of child maltreatment will be put on paid administrative leave until a determination is made on the report. Leave will begin on the day the investigating child protection specialist makes contact with the employee.
This applies to all CFSD employees.

If the report is unsubstantiated, the paid administrative leave will end and the employee will return to work.

If the report is substantiated, employment may be terminated.

References

DPHHS Policy Manual – Human Resource Policy #115.

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