U.S. Department of Education
Mentoring Program's

Guide to Screening and Background Checks

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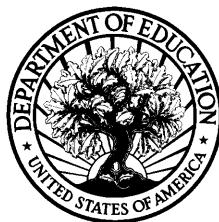# Guide to Screening and Background Checks

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INTRODUCTION

One of the most important things that your U.S. Department of Education, Office of Safe and Drug-Free Schools (OSDFS) mentoring programs will do is screen the adult volunteers who will be serving as mentors. The safety and emotional and physical well-being of youth participants is paramount. As with physicians, your program's oath should be "do no harm."

That being said, screening is less about keeping people out, and more about making sure that they are appropriate to the task. Part of that "appropriateness" is safety, but it also includes a whole host of other things that have to do with a prospective mentor's "fit" with your program goals. This book looks at the screening process from a suitability perspective, as well as a risk management one. It also encourages programs to put as much diligence into screening volunteers as they would potential employees. After all, mentors have important work to do, and you need to ensure they have the skills and character to get the job done.

About This Book

This book will be most useful to program coordinators and other staff who affect policies and procedures for an OSDFS mentoring program. It provides a framework for screening, including the wide variety of background checks you may choose to conduct. But, what's ideal on paper doesn't always play out smoothly in reality, and screening volunteers is no exception. There are snags and unexpected difficulties along the way. One time everything will go smoothly, the next time papers will be lost, fingerprints won't read, the state won't have the criminal records, and so on. Stuff happens; disappointments occur. Regardless, the screening processes outlined here illustrate the recommended approach to determining the safety (and suitability) of the mentors who serve in your program.

Here's What You'll Find Inside

This book offers an overall framework for screening and specific tools that can be used in the process. Included is an eight-step outline of how to screen applicants, from the initial orientation through the match and beyond. There are descriptions of several types of background checks (from criminal history to driving records) with details of how to access each record, associated costs, how long it takes to get a response, and what information you can expect to receive. Key legal terms from background check summaries or court documents are explained on page 7.

The appendices offer sample forms and worksheets, including a volunteer "position description," applications, consent forms, reference checks, and interview questions, as well as lists of state criminal history records repositories and online sex offender registries. Appendix C also offers a list of federal and state laws that apply to volunteer management, many of which are discussed throughout this book.

Keep in mind as you read through this book that your state laws and the school or district policies

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Screening Peer Mentors

Some readers of this book will be working in peer or cross-age mentoring programs, where those serving as mentors are other youth, as opposed to adults from the community. While screening youth mentors offers many unique challenges, the overall process outlined in this book can still be followed, with a few obvious exceptions. The similarities and differences in screening peer mentors are discussed in the last section.

of your area will largely dictate the process you'll need to go through to conduct checks. The book also attempts to detail some of the limitations of the screening process, as well as some of the successful strategies, so that your program can make informed decisions.

Employment Law and Volunteers

Throughout this book, we will be referring to various laws and screening approaches that primarily affect employees. For the most part, your program should strive to treat your volunteers with the same care and consideration that you do your employees. This will ensure that you are being fair to applicants and that your screening process is not in violation of any laws that may also apply to volunteers.

Note: The information and links in this book were accurate as of September 1, 2006. Please contact your appropriate state or local resources for updated information as needed.

THE BACKGROUND TO SCREENING: RESPONSIBLY MANAGING RISK IN MENTORING PROGRAMS

Every mentoring program has a responsibility to exercise reasonable care (sometimes called "due diligence") when faced with the chance that harm could result from its activities. Screening is part of the larger risk management effort that helps your program meet this responsibility. Screening may be the *first* step in your risk management efforts but it shouldn't be the last. Effective supervision (Step 8) of anyone placed as a mentor is crucial to protecting the safety and well-being of youth served through your program. Keep in mind that no one can live without risk and *no program can exist without risk*. The best approach is to acknowledge the risks that exist in your mentoring program, and to determine practical and feasible steps you can take to minimize the chance of any unintended, negative outcomes.

Although screening can't eliminate all your program's risk, it does reduce the likelihood that you will unintentionally choose an inappropriate person as a mentor. If a child abuser has *never* been caught, *never* been convicted, or *never* been sentenced for the crime, no amount of record checking in the world will make his or her behavior known to you through screening. This is why *supervision* is such a critical risk management tool.

An effective screening process should detect those who have *identifiable* characteristics that would increase risks if they were placed in inappropriate positions, such as becoming a mentor. Good screening processes will:

■ Identify individuals who would create an unacceptable risk if given unsupervised access to youth

■ Prevent the placement of individuals who lack necessary skills or judgment

■ Rule out potentially dangerous individuals, such as those with a history of violent or exploitive behavior

Effective Screening Reduces Liability Exposure

Another reason for developing a sound screening process is that it minimizes the "liability exposure" that arises from your mentoring efforts. Liability generally means you are answerable, accountable, and responsible if something bad happens. This could be from "job-related negligence"—you picked the wrong person for the job and should have known better. It could be from "intentional misconduct"—the volunteer mentor deliberately harmed someone or something while doing his or her job for your program. The program could also be liable for "defamation

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A Caution for OSDFS Grantees

What did the grant state?

Before making any changes in your screening practices, it's important for staff to review what was agreed upon in your grant application—in terms of formal memorandums of understanding (MOUs) and in stated informal collaborations—to understand any existing screening systems or mechanisms that you are obligated to use.

What relevant policies or procedures does the school or district have in place?

Be sure to review school or district policies that will influence the screening procedure your program uses. And remember to always seek the advice of legal counsel when you have important questions.

of character"—disseminating false information about someone that causes economic harm, or "invasion of privacy"—doing a record check (say, credit history) in the selection process that had nothing to do with the "job" of mentor. This book, combined with the advice of your legal counsel and the policies set in place by the school or district where your program operates, should ensure that your liability risks are minimized.

There are several key things to remember as you develop your screening process and begin checking on volunteer applicants.

Screen Diligently

Although screening costs time and money, it's an essential method to protect your mentee and the program's reputation from harm. Harm might be something as catastrophic as physical or mental abuse of a mentee by a mentor, or something less intense, such as the bad publicity the program might get because a volunteer accidentally injured a mentee.

Your program should create policies and procedures for screening, training, and supervising mentors (a sample screening policy is in Appendix A2). Your screening policy is critical to building consistency, quality, and fairness into the process. It ensures that your staff uses the same forms for application, permission, and interviewing, and that your program only checks records that have an impact on how the person will perform as a mentor. A good policy ensures that your program is selecting appropriate people based on the position description you develop (see Appendix A1 for a sample position description). The alternative is a hit-or-miss approach that isn't defensible to the community or in a court of law should something happen. Your stakeholders, participants, and community trust you to do the right thing. Screening diligently is how you do it.

Remember the Permanent Disqualifiers

Some offenses should disqualify any potential mentor. While other things that turn up during screening may have mitigating circumstances you might consider, the following have no mitigating circumstances and represent applicants who should be rejected:

- Prior history of abuse of children, sexual or otherwise

- Conviction of any other crime in which children were involved

- History of extreme violence or sexually exploitive behavior

- Termination from a paid or volunteer position caused by misconduct with a child

Build Your Screening Process Around Individual Program Needs

Use the specific needs and circumstances of your program's youth to determine who is appropriate as a mentor. Remember, you want to select appropriate people for your mentor positions, while also respecting the rights of all applicants.

Some programs, by their very nature, may accept individuals that other programs would not. Depending on the population you serve, there may be special circumstances behind the mentors that you choose to approve. A mentoring program that matches ex-gang members with teenage boys in hopes of keeping them from joining gangs may choose not to eliminate prospective volunteers simply because they have a gang-related past. Doing so would defeat the purpose of the program, or at the very least make its goals more difficult to achieve.

A program that has a heavy career development or academic focus might decide that mentors need a certain level of education or a job in a certain field. That criterion then becomes part of the screening process.

The point is, you should tailor your program's disqualifying criteria and mitigating circumstances to fit your needs. There is no one-size-fits-all solution for screening criteria.

Set Limits to What Is an Acceptable Risk

The approach in this book mostly covers screens for specific risks (for example, crimes against children, a history of anger management issues, bad driving record) based on the needs of a program. But the screening process should go beyond these obvious criteria and address three specific concerns:

1. Does the applicant represent an unacceptable risk to the members of the community served by the mentoring program? Does anything in the applicant's background indicate he or she should not have access to youth?

2. Does the applicant represent an unacceptable risk to the other mentors or staff members or to other resources of the program? Might inappropriate judgment or behavior harm future funding, the good name of the program, or risk the continued operation of the program?

3. Does the specified position (mentor) pose an unacceptable risk *to the applicant*? For instance, your program requires mentors to transport youth periodically, but your applicant can't legally drive.

Admit and Accept the Process Isn't Perfect

- If a person has committed a crime but hasn't been caught, there will be no criminal record. No criminal record check in the world will expose this person.

- Contrary to popular opinion, there is no single database for checking a person's history (or character).

- All criminal records don't look the same; in fact, they look quite different from state to state.

- The right to view records (and how) is very different from state to state, and even at the county and municipal levels.

- Background checks can be expensive: costs for getting criminal history background checks range from free to $81 per record.

- Applicants may be uncomfortable going into a police station to be fingerprinted. Sometimes just getting this step completed can be a chore.

- Applicants who value their privacy may not willingly give their Social Security number or other personal information that is required for record checking.

- Applicants may be insulted that you don't trust them; after all, they just want to do a good deed.

Some of the things that can cause the screening process to bog down or break down for a single applicant include:

- Common name or no middle initial causes confusion or mistakes—called "false positives" (see identity confirmation sidebar on the next page).

- Records might not be revealed if a person has used an unrevealed alias.

- Inconsistent state or local reporting means a crucial conviction, sentence, or plea bargain might be missed.

- Jurisdictional differences in allowing access to information means all records may not be available.

- Lost paperwork can cause delays, as can vacations or backlogs of requests to the county, state, or FBI agencies you need to work with.

- Unavailable references mean past work experience goes unexamined.

- Smeared or otherwise unreadable fingerprints must be resubmitted, sometimes several times.

- Criminal sexual activity earlier than 1996— when Megan's Law, which requires states to give access to such data, went into effect— isn't available to the public.

Identity Confirmation

Only fingerprint checks can verify that the applicant and the person who has the criminal history are one and the same. The FBI is the best bet for fingerprint records checks (see Step 4).

Approximately 9 percent of volunteer applicants checked through SafetyNet (a national FBI fingerprint-based check, see page 29) during the first 16 months had criminal records, according to the SafetyNet Web site (http:// apps.mentoring.org/ safetynet/ extension.adp). To put this in perspective, for a mentoring program that receives 150 applications per year, 9 percent equals 13.5 people per year or approximately one person per month. Of that 9 percent, 25 percent of the records were from a state other than the one in which they applied. One of 13 people checked provided a different name or date of birth than what appeared on the criminal record.

Don't Be Discouraged, Be Motivated!

Screening prospective mentors is a time-consuming and costly endeavor. But the cost of screening is small compared to the cost of failure to screen mentors. The cost of failure can include insurance payments, legal fees, court costs, and settlement costs—all of which add up to big bucks and possibly the closure of your program. The cost of failure also includes, unfortunately, the harm that can be done to youth in your care. So keep your kids' safety firmly in mind and remember that being diligent with your screening process is just part of doing the life-changing business that your program does. It comes with the territory, and you need to embrace it.

Strive for Quality Over Quantity

All OSDFS mentoring grantees have a benchmark number of matches to make, but selecting unsafe or ill-suited matches to hit the target is never acceptable. Use the screening process and the samples in this book to increase the chance that the mentors selected for the program will be appropriate for the positions they are meant to fill. The effort is an investment in the future of each program and the safety and well-being of the mentees served.

Your program should . . .

- Develop a written volunteer mentor position description.

- Limit the screening mechanisms you use to those that help confirm whether or not the applicant is appropriate for your position.

- Identify a list of disqualifying results and mitigating factors.

- Know and follow applicable state and federal laws pertaining to selecting applicants.

- Acknowledge that screening isn't the only thing that will keep mentees safe.

- Make sure you are in compliance with all school and district policies that apply to your program.

Your program should not . . .

- Require skills, education, licenses, or other credentials that aren't necessary to do the mentoring "job."

- Invade an applicant's privacy any more than is necessary to fulfill due diligence.

- Rely only on background checks when evaluating an applicant's appropriateness. This book presents screening as a comprehensive process of which background checks are only one component.

Key Legal Terms You May Encounter in This Book or in Conducting Screening

Defamation – "harming the reputation of another by making a false statement to a third person" (*Black's Law Dictionary*, 7th Ed.) Libel is written defamation and slander is oral defamation.

Defensible – capable of being defended.

Disposition – settlement of a criminal case: case dismissed or defendant was convicted.

Due diligence – taking any reasonable and necessary steps to ensure that the correct course of action is offered or taken.

Duty – the responsibility for all persons at all times to exercise reasonable care for their physical safety and the safety of their property.

Duty of care – standard behavior required in a particular circumstance. The standard is to use the level of care that a reasonably prudent person would use in a similar situation.

Fair Credit and Reporting Act (FCRA) – a federal law governing employment screening that also has wide applicability for volunteer positions.

Harm – accident or injury to a person.

Incarceration – to put in prison; to subject to confinement.

Intentional misconduct – purposeful harm.

Legal duty – responsibility that the courts will enforce.

Liable – answerable, accountable, and responsible.

Mitigating – lessen or relieve the seriousness or effects.

Negligence – doing something a reasonable person wouldn't do under the circumstances or failing to do something a reasonable person would do under the circumstances.

Reasonable care – what a reasonably prudent person would do in the same situation.

THE MENTOR SCREENING PROCESS

As mentioned earlier, the purpose of screening applicants for a mentor position is not to keep people out, but to make sure that the people you accept as mentors for the program are appropriate for the job. This fine distinction of purpose between "keeping out" and "inviting in" can make a huge difference in the success of your efforts to screen applicants. "Keeping out" focuses on barring the gates to certain stereotypes and the program may turn away people who are appropriate and could do a fine job. "Inviting in" focuses on treating people fairly in a non-prejudicial way.

Background checks are only a part of the entire screening process. Background checking lets you authenticate that the person is who he or she says. The number and types of background records you check depends on the position description for your particular mentors. For instance, a mentor may or may not need to drive the mentee as part of your program. If expected to drive, it's important to make a copy of the person's license and check the state driving records.

A good screening process goes beyond criminal record checks. It starts the moment someone walks through the door or shows up at an orientation event in the community. The next sections of this book, represented as steps, illustrate a holistic screening approach that you adapt to meet your particular needs.

Effective Mentor Screening Process

Step 1: Orientation Session

Step 2: Application Packet

Step 3: Formal Interview and Reference Checks

Step 4: Conducting Criminal History Record Checks

Step 5: Interpreting the Results of Record Checks

Step 6: Additional Screening Mechanisms

Step 7: Pre-Match Training and Moving Toward the Match

Step 8: Match Supervision
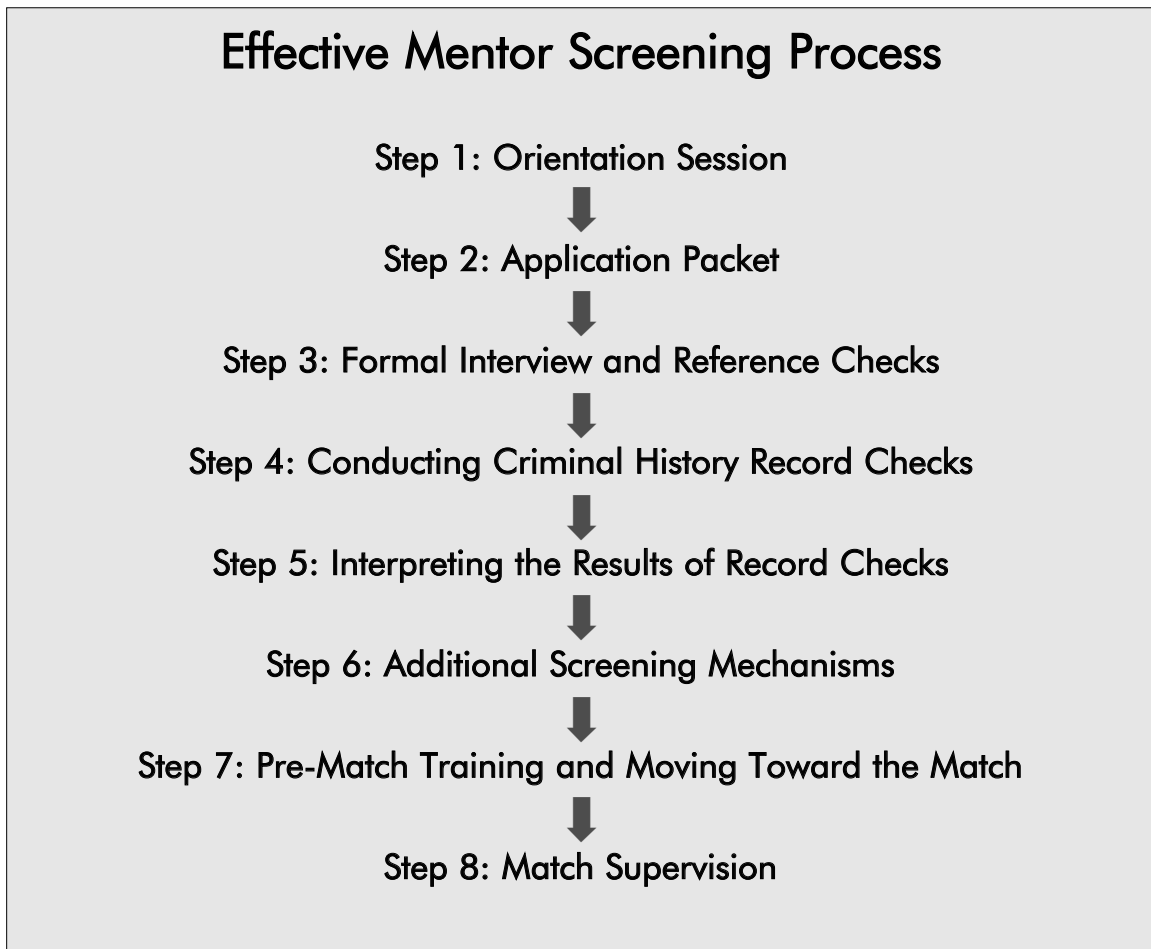
APPLICANTS' RIGHTS

Applicants have the right to be treated fairly and to have their privacy respected. Mentoring programs are responsible for protecting these rights and, therefore, may need to establish and implement policies that achieve these objectives.

Criminal history databases aren't perfect and sometimes a records check will falsely identify a person as having committed a crime. For this reason, the Fair Credit Reporting Act and the National Child Protection Act mandate that applicants should be given a chance to challenge the accuracy of information that an organization receives.

Under these laws, the mentoring program would be wise to inform the applicant of the nature of the information it received and the identity of the agency that provided the information. If the applicant wishes to challenge the accuracy of the information, advise him or her to communicate directly with the records repository. It's best to let the applicant resolve any disputes with the criminal justice agency from which the organization received the information. Until the program receives a correction from the criminal history records repository, it should assume that the information it received is correct.

Fingerprints are the only guaranteed means of identification. One way to confirm the identity of individuals about whom the program receives negative information is to require a confirmation of the applicant's identity through a fingerprint check if the original criminal history records check wasn't based on fingerprints.

Many jurisdictions levy criminal and civil penalties against organizations and individuals who misuse or negligently handle the information obtained through criminal history record checks. Because laws in each jurisdiction may be different, you should find out from your state's criminal records repository what, if any, legal requirements apply to your protection of criminal history information. Appendix B provides a list of state criminal history record repositories.

Just because there are no specific legal requirements in this area doesn't mean that you won't be held accountable for protecting the privacy of the applicant. Due to the sensitive nature of the information that a mentoring program may receive in the course of a criminal history records check, and because that information could be incorrect, programs should take steps to prevent its accidental disclosure. Programs should consider establishing policies governing which people have access to the information, how it's stored, and how it's to be destroyed once the mentoring program no longer needs it.

Step 1

Orientation Session

While orientation sessions are often a prime *recruitment* tool, there are several aspects to these events that are significant from a *screening* perspective. These sessions offer an opportunity to spell out what is expected of mentors in terms of commitment and qualifications. It's important to emphasize that protecting mentees from harm is very important and that the selection process for your program reflects this concern for safety. Be clear that references will be checked and criminal history background checks will be run in the interest of providing a safe environment and relationship for mentees.

There are two reasons for this: there are people who will not want to give you information they consider private (Social Security number or date of birth, for example), and there are people who will not want their criminal history checked. This could be a personal preference, or it could be they have something to hide. They may just want to volunteer and this feels like an inquisition. No matter their reasons, it's wise to let people opt out early, before you invest time and money in reviewing applications, holding interviews, or checking references, and before the criminal background checking procedures trigger federal or state laws concerning volunteer selection (such as the Fair Credit Reporting Act,[1] which is discussed in greater detail later). So keep in mind that, in some ways, in can be a good thing for people to opt out during orientation. You've saved your staff time and energy.

From a screening point of view, the orientation should stress that:

■ **Mentee Safety Is Prime**

Stress that keeping the children you serve safe is the paramount concern of the program. Talk about the purpose of the program; give a brief, general description of who the mentees are and the services the program provides to them.

■ **Program Policies and Procedures Support Mentee Safety**

Explain that every policy and procedure the program has supports the program's mission and vision while at the same time protecting the mentees from physical and emotional harm. To reach that goal you want to be certain that the people selected as mentors have the same goals. They must not only be willing and able to serve but also willing and able to provide information about themselves and provide written permission to have it verified.

■ **Mentor Eligibility and Selection Criteria Reflect Mentee Needs and Safety**

Clearly explain who is eligible to participate in the program and who is not. In addition to historical characteristics that might disqualify potential mentors (criminal and personal history), mention general characteristics (friendly personality, being able to communicate well with youth, being able to meet the time requirements for the particular mentoring position, and feeling comfortable with the age group served), and any special expectations (such as having a valid driver's license and vehicle in good repair or being fluent in a specific language).

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[1] Although the FCRA was written to protect employees from harm, it is wise, in the name of fairness, for your program to apply its rules to volunteer selection.

Explain the steps involved in the selection process. These should include the basic procedure: a position description, an application, a face-to-face interview and reference checks, followed by a criminal history background check. Making your acceptance and rejection policies and procedures clear from the beginning can save headaches down the road.

■ **Mentors Must Meet Certain Expectations**

Describe a typical mentor/mentee relationship in the program. Convey the level of commitment expected, including the minimum and maximum number of contact hours a mentor is expected to invest per week, the energy and effort required, and other specific things, such as providing transportation or community connections to the mentee. Explain what is meant by contact: phone call, face-to-face meeting, e-mail, or group activity.

The Orientation Initiates "Due Diligence"

A program should provide due diligence —taking any reasonable and necessary steps to ensure that the correct course of action is offered or taken—in its screening process. You have done your part by being up front with prospective mentors about the policies, procedures, expectations, and accountability required by the program.

Your orientation meetings should tell prospective mentors that the mentor/mentee relationship is supervised for compliance with the organization's goals and commitment to excellence. And although a rare occurrence, if a mentor is not living up to expectations, contact with the mentee and the program can be terminated. Explain that the selection process and program's ongoing support of the mentee/mentor relationship are designed to prevent such situations.

Some programs prefer to accept applications, or even hold formal interviews, prior to orienting prospective volunteers. From a screening perspective, this can be a waste of everyone's time and energy. The orientation is your first chance to get to know your potential mentors, to learn their personalities, and to start screening them for applicability and safety. People who don't wish to comply with the screening process from this point forward can always say "no thanks."

Step 2

Application Packet

The Application Packet provides all the forms you need prospective mentors to fill out to conduct the screening process. These forms should gather all the information used in determining if they are appropriate to be mentors in your program. Although volunteers have a different legal status than employees, many of the screening methods offered in this book mirror employee screening practices. This "equal treatment" ensures that the same level of fairness is used in the selection of volunteers. It grounds your process in established, proven management practices.

Ideally, anyone receiving your Application Packet has already attended your Orientation Session. You should decide whether this is a requirement or not, or whether potential mentors will be able to access these forms online or by visiting your offices. Regardless, the packet should include:

■ An overview of the program

■ A mentor position description

■ A formal application

■ A records check permission form

■ Disclosure and other data collection forms

An Overview of the Program

Create a Fact Sheet: a quick read, designed to tell the prospective mentor important information about your program. It should include:

■ Program mission statement.

■ Name of the program (and sponsoring agency, if applicable).

■ Program contact information, such as address, phone number, fax, e-mail, Web site.

■ Name of the volunteer mentor coordinator.

■ A capsule view of who the mentees are (e.g., boys who are at risk of joining a gang, ages 9–12).

■ Demographics of your typical mentors (e.g., college students, business professionals, senior citizens, former gang members).

■ Expectations: all those details you outlined in your orientation (e.g., meet with mentee a minimum of once a week and a maximum of five hours per week, offer boys an alternative to joining a gang, help with schoolwork).

■ Disclaimer: "Applicants will be required to submit an application, participate in a face-to-face interview, provide references for checking, complete a background check, and attend a training program prior to placement. Applicants who provide false information shall be disqualified for, or terminated from, service."

As with the orientation, this statement can discourage applications from individuals who don't want to subject themselves to the screening process for whatever reason. Such self-screening strengthens the pool of applicants that proceed to the next step in the screening process.

Mentor Position Description

Every mentoring organization should use formal position descriptions as the basis for recruiting, screening, and supervising applicants for volunteer positions. Position descriptions take time to

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develop, but they save time and money in the long run. The position description guides you in determining what checks (beyond the basic application, face-to-face interview, and reference checks) need to be done to determine if a person is appropriate to be a mentor.

The sample position description worksheet in Appendix A1 can help you design one for your program.

Formal Application

The background information gathered on an application form is usually the program's first formal knowledge about an applicant. You might be acquainted with the person informally through other activities or as a neighbor, but the application offers a more complete view. Don't skip this step for "friends." Treat all applicants the same and require them to fill out the forms in the Application Packet.

As you review the applications and verify the information on them, they begin to show which applicants might be appropriate mentors. For instance, if an applicant submits false or incomplete information on the application, that's a red flag that you probably have an unsuitable applicant.

Here is the basic information your application form needs to collect:

■ Name(s), including maiden, court-ordered name change, aliases.

■ Current home address/length of residency. If an applicant has lived at the current address for fewer than five years, he or she should supply additional addresses for the five years prior to moving to this address. Keep in mind that multiple states may necessitate multiple records checks down the line. Collect this information regardless.

■ Telephone number(s).

■ Date of birth.

■ Driver's license number/state/expiration date.

■ Social Security number.

■ Current employer/title/work address/length of employment.

■ References (three minimum).

Don't forget the Disclaimer:

■ Applicants will be required to submit an application, participate in a face-to-face interview, provide references for checking, give signed permission for background checks, and attend a training program prior to placement. Applicants who provide false information shall be disqualified for, or terminated from, service.

You may also want to add **"right of refusal"** language to the disclaimer. This language lets applicants know that your program can reject them for any reason (which can be invaluable in situations where you just have a "bad feeling" about someone who has applied).

This information can both help to assess the applicant's appropriateness for the position and aid in matching the applicant with a mentee.

You may also want to collect information about:

■ Prior volunteer experience

■ Skills and interests

■ Reasons for wanting to volunteer with youth

Sometimes programs choose to collect a lot of personal information on the application itself, such as marital status, race, age, religion, country of national origin, and sexual orientation, for the purpose of making appropriate matches down the road. While this information is all useful to a mentoring program, it is also information that you would not be allowed to collect on an *employment* application. By including questions

about these areas on a volunteer application you run the risk of applicants thinking they were rejected because of them and that perhaps their civil rights have been violated. If you need this type of information to make matches, collect it during the interview process; be clear that your program does not discriminate against any protected class, and that you are asking these things for the purpose of matching them with an appropriate youth.

Self-Disclosure of Criminal Activity

Some programs use an early disclosure system on their applications to identify which applicants have committed crimes and what they were. Here's one way of asking for the information:

■ Please indicate whether or not you've been convicted of any of the following offenses by checking the "Yes" or "No" box:

☐ Yes ☐ No

(list the offenses that are relevant to your program's requirements)

For any offenses checked "Yes" provide:

— Date committed

— City/state/county where committed

— Result of the case: dismissed or convicted

— Other factors we should consider _____

_____

Appendix A has three sample applications from which you can draw ideas.

Permission To Check Records Form

Programs may either request criminal history record information through the law enforcement agency designated by their state's laws (see Appendix B for a listing by state), or retain a private firm that specializes in conducting criminal history record checks. The SafetyNET pilot program (see sidebar, page 29) is one such option.

Some states *require* a signed statement from the applicant granting you permission to check records pertaining to him/her. Without the signed form the only way you would have access to the information is if the applicant requested and paid for it. This is not advisable, as someone with something to hide could alter the records before you receive them. So be sure to include this permission form in the Application Packet.

And don't limit the permission statement to criminal history background checks. Consent should include each kind of relevant check to be conducted: references, employers, volunteer service records, driving records, credit bureau records, and educational and professional credentials.

The FCRA and Volunteers

The reasons behind getting signed permission to check records stem from ambiguities about whether the Fair Credit Reporting Act applies to volunteers. Technically the FCRA requires employers to obtain written permission before doing a pre-employment criminal history records search. Although volunteers are not specifically named in the FCRA regulations, many experts feel that it's wise to treat pre-volunteer record checks with the same care. In other words, whether the FCRA applies to your program and its volunteers "depends." But it's not worth risking having a jury decide if you should have gotten written permission. Cover your bases by following the guidelines of FCRA the best you can. Be sure that legal counsel reviews any permission forms you create before using them.

Disclosure and Other Data Collection Forms

Some programs have other criteria that mentors are required to meet and the Application Packet may be a place to gather that information. These things might include:

- Certificates, such as those for first aid/CPR or swimming instructor

- Professional licenses

- GED or higher education

Once the completed applications are received, review them and sort out any who do not meet the basic requirements of your position description. The applicants who do meet your criteria are ready to be scheduled for a face-to-face interview.

Your program should . . .

- Consider the qualifications and needs that pertain to your specific program when designing your application forms.

- Make certain that the application and forms gather all necessary information about the person to check their background.

- Know what information your state requires to do a criminal history background check, driving record check, or other checks that the position requires.

- Request the applicant's current home address and addresses for the past five years.

- Use the application step as an opportunity to observe the applicant's behavior, personality, and other characteristics that may affect his or her appropriateness for the position.

Your program should not . . .

- Overquestion for the position. The questions and information gathered should be appropriate for the position description.

- Limit the permission statement to criminal history background checks. Get the permission you need for EVERYTHING.

Step 3

Formal Interview and Reference Checks

The formal interview gives you a chance to ask questions that expand or clarify information gathered through the forms in the Application Packet. These questions should be open-ended (not answerable by yes or no). This face-to-face exchange provides an excellent opportunity for coordinators and screening specialists to evaluate an applicant's communications skills, level of enthusiasm, motivations, mannerisms (such as ability to make eye contact), and general comfort level in a social situation.

Likewise, applicants can raise their own questions and concerns regarding a mentor's role, or the program's policies and expectations, before they become involved.

Appendix A9 offers sample interview questions.

When conducting interviews, make sure you:

- Request that the applicant brings any pertinent documents (driver's license for car, bus, truck; certificates; and/or professional licenses) to the interview so they may be photocopied in preparation for background checks.

- Don't violate any state or federal employment or anti-discrimination laws.

- Develop and review a list of acceptable and unacceptable questions to ask.

- Follow up any answers that "feel off," raise concerns, or contradict information given previously with additional questions to get clarification.

- Don't ask leading questions: "Do you have issues at home?" versus "Tell me about your home life . . . "

Red Flags for Interviewers

- Unstable employment and/or residence history, premature separation from service

- Activities and interests primarily involve children

- Low self-esteem

- Unable to accept responsibility or make decisions

- Fearful of adult world; surrounds self with children

- Sees children as "pure, innocent, and/or clean"

- Over-anxious to obtain a match, eager to bend ground-rules for overnights

- Describes preferences in [child] with specific physical attributes (i.e., long blond hair and blue eyes; slight stature and angelic countenance)

- Prefers a vulnerable child, frail, emotionally dependent

- Abuses alcohol or drugs

- Criminal record—crimes against children or other crimes including misdemeanors which evidence immature behavior

- Volunteer finds own child and asks [organization] to legitimize relationship

Reprinted with permission from *The Staff Screening Toolkit*, 3rd edition, 2004, Nonprofit Risk Management Center, Washington, D.C.

Reference Checks

Up to now, the applicants themselves have been the only source of information. References, in the form of former and current employers, former volunteer directors, and professional colleagues can provide third-party views of the applicants. These references help verify identity as well. Personal references—friends, family members, roommates—can also help provide a complete picture of the applicant.

Questions

If checking employment or volunteer service references, some of the common questions to ask are:

■ How do you know the applicant?

■ How long have you known him/her?

■ Are you related to the person in any way (by blood or marriage)?

■ Why is the person no longer working there? (If an employer.)

■ What types of interaction did the person have with children (youth, teens)?

■ Where does/did these interactions take place?

■ How does/did the person manage anger or disobedience in the child (youth, teen)?

■ How does/did the person get along with other adults?

If checking personal references, you may want to ask such things as:

■ How long, and in what capacity, have you known the applicant?

■ How does the applicant relate to people in general?

■ Do you feel that the applicant would be a good mentor and role model to a child?

■ Does the applicant usually keep his/her commitments?

■ Would you feel comfortable allowing the applicant to spend time alone with your child?

The sample in Appendix A11 offers more questions.

Tips for Making Reference Calls

To ensure that you are consistent from one reference to another and for each applicant:

■ Always use the same list of questions.

■ State who you are and why you're calling, and ask if the person could take a few minutes to speak with you.

■ If the person says it isn't a good time, ask to schedule a time to call back later that day or the next day.

■ Explain to references that their answers are confidential and will not be shared with the applicant.

■ End the conversation if a person says he or she doesn't know the applicant personally, or is related to the applicant.

■ If references can't be reached at the phone number given, call the organization's main number (for employment references), or directory assistance. Or simply indicate on the reference check sheet that the number is incorrect and the applicant needs to supply a new number or another reference.

■ Always thank the person for his or her time when you end the conversation.

Responses pertinent to the qualifications for the mentor position should be recorded on a tracking sheet. In general, only write down information that confirms or denies that the applicant will be an appropriate mentor. But if you feel a reference is hiding something, is being less than forthcoming with information, or if you feel something about what he or she says seems "not right," you should note that impression and follow up with more questions for the reference or the applicant.

Keep in mind that you can reject volunteers based on gut instinct and other intangible factors at this point. In some ways, this is your last chance to reject a volunteer without explanation. The next step, the criminal records check, triggers many legal considerations that may require you to share the reason with the applicant. But at this point in the process, you can still simply send a letter thanking the applicant for his or her interest, letting the applicant know that he or she has not been accepted. You do not have to tell the applicant why or defend your decision.

Your program should . . .

■ Ask open-ended questions.

■ Ask every reference the same questions; use a script or checklist of questions to assist you.

■ Get references from people who personally know the person: employers, volunteer directors, or professional colleagues.

■ Always follow up with additional questions until you have the answers you need to make a determination. Never let things go unanswered.

Your program should not . . .

■ Skip reference checks or gloss over them because people aren't found or aren't available.

■ Ask questions that aren't related to the position requirements.

■ Interview any reference who is related to the applicant by blood or marriage.

Step 4

Conducting Criminal History Record Checks

The criminal history record check is the next step for applicants who are still under consideration. There is no reason to do a criminal history record check on someone who didn't pass the reference checks or the interview.

Because all mentors have close relationships with and access to children (youth, teens), a **criminal history background check** and **sex-offender registry check** in each state where the applicant has lived and worked for the past seven years *must* be included. Note that an FBI record check or a check through the SafetyNET pilot program will provide this information in lieu of a state-by-state request. In states where public access to records is restricted, a search of county records by a private firm may provide the information you require.

A Caution About Criminal History Records and Repositories

Throughout the country, there is tremendous variety in how local-level screening looks. The differences from city to city and state to state include laws, instructions you need to follow, who has access to the records, the specific information you need to provide to initiate a search, the definitions of particular crimes, whether the data are online or only available at specific locations, how the reports are formatted, what they contain, and many others. The system and process where your program is located drives a lot of individual screening experiences—positive and negative. The information that follows in this section is the best composite of what one can expect, not the definitive word on exactly what you need to do in your particular locale.

Likewise, things *will* go wrong with these checks and this section looks at those circumstances. There is no right answer as to what to do when

Fair Credit Reporting Act (FCRA) and Background Checks

As mentioned earlier, the Fair Credit Reporting Act is designed to protect people during pre-employment record checking; volunteers aren't specifically mentioned in the requirements. However, in the name of fairness, and because court decisions are constantly interpreting how the law is applied, it's wise to apply the requirements to volunteers as well. Private companies (for example, ChoicePoint, IntelliCorp, or HireEase) must comply with the FCRA requirements when conducting pre-employment record checks, including record checks for volunteers.

The FCRA also requires that the "best possible source" be used for a pre-employment background check. Your program should only search records that provide information most closely related to the requirements and risks of the job. Searching records outside the mentor's "scope of work" could result in a claim of invasion of privacy.

If you've followed the suggestions in Step 2, your application form should state that the program includes criminal history record checks in its screening procedures and that applicants who provide false information will be disqualified for, or terminated from, service. In addition, the Application Packet should include a form that, when signed by the applicant, gives you permission to run the check(s). Many background check services require the program to show such written permission before they will issue a report.

Conducting Criminal History Record Checklist

■ Adopt a policy requiring criminal history record checks that conforms to the program's needs and policies.

■ Identify the volunteer positions that require applicants to be screened using criminal history record checks.

■ Check with state agencies to determine if there are statutory requirements for criminal history record checks for your program.

■ Develop a list of disqualifying offenses and mitigating circumstances to be taken into account.

■ Contact the state criminal history record repository for information concerning how to obtain criminal history record checks in your state, or retain a private firm to conduct criminal history record screening.

■ Budget the necessary funding to pay for criminal history record checks.

■ Review and revise application and permission forms to reflect the requirements for performing criminal history record checks.

■ Formulate an appeals process for applicants who feel that the information you received is incorrect.

■ Implement your screening process using criminal history record checks.

■ Document the records check in the volunteer's file.

Reprinted with permission from *Criminal History Record Checks*, 1998, Nonprofit Risk Management Center, http://www.nonprofitrisk.org/csb/csb_crim.htm

problems arise. Sometimes it's just a matter of working out a kink or trying a different service or method. Other times, it just takes extra work. Remember that perseverance is a key element of screening. It may take some effort to get the answers you need to screen effectively but it's something that you must do to be diligent in creating a safe mentoring environment.

Start with the state criminal history records repository (see Appendix B) to determine if you are allowed to search the records, whom to contact, what information you need, how much it costs, how long it will take, and the types of information you'll get back. Unfortunately, there is no one answer to the who, what, when, where, why, and how questions. Many times, but not always, this information will be available on the Web site of your state's designated agency. Appendix B contains the most up-to-date (as of June 2005) listing of whom to contact.

In addition to local and state criminal history records, you may also need to **reference sex-offender lists**, **child-abuse registries**, and **FBI records** to determine the appropriateness of an applicant to your mentoring position. As you'll learn, the various checks you can conduct all access different databases and provide different information.

The following tables look at the common checks that mentoring programs conduct. For each, we explain how the process works and what you can expect.

Criminal Justice System Basics

Person arrested and arrest report created ➜ *Arrest Record*
↓
Person arraigned and tried in criminal court ➜ *Criminal Court Record*
↓
Case dismissed   OR   Defendant Convicted
↓
Community Service, Fine, Probation, OR Incarceration
↓
Misdemeanor OR Felony
↓   ↓
Jail   Jail
OR
Prison ➜ *Correction Record*

"Criminal records" include four types of specific records that come from different parts of the criminal justice system:

1. Arrest Records—law enforcement records of arrests

2. Criminal Court Records—local, state, or federal records

3. Corrections Records—prison records

4. State Criminal Repository Records—statewide records made up of arrest records, criminal court records, and correction records

Adapted from text in the article *Not All Criminal Records Checks Are Created Equal*, 2005, by Lynn Peterson, http://www.virtualchase.com/articles/criminal_checks.html

State Records Check

Each state establishes its own requirements for processing criminal history record checks. Some states require organizations to use an official form for their requests. Often these forms require the signature of the person on whom the check is being conducted. This form may override (or be in addition to) any form you develop. Other states require that requests be submitted on the requesting program's letterhead. Some states allow organizations to submit their requests for criminal history record checks electronically.

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How

Start with the list of state criminal history record repositories in Appendix B. Find out your state's regulations and rules from the state repository. When using name-based criminal history record checks, you should verify the applicant's identification with a driver's license or other official picture identification, such as a state-issued non-driver's ID or a passport. Submit the applicant's full name, date of birth, current address, gender and, in most states, Social Security number.

Note: When submitted information matches information in a criminal history record, fingerprints may be required to positively link the applicant to the criminal history record. State rules and regulations determine if and how fingerprint records may be submitted to the FBI.

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Cost

The cost of a state criminal history record check is set by each state. A few states perform these record checks for volunteers free as a public service. Some states have no fee. In those that do, the upper limit is $36 per record check.

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Timeframe

Name-based record checks take considerably less time to complete than fingerprint-based checks. Most states report that they complete state criminal history record checks within two to three weeks after they receive the request. Contact the state in which records need to be checked to verify the timeframe.

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What To Expect and What You'll Get

Most state-level checks will reveal only arrests and convictions for crimes that occurred within the state. The reports vary from state to state. For example, some states will provide a complete "rap sheet," some will list only crimes for which a conviction was obtained, and other states will indicate only if the person should be allowed to work with children.

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Other Considerations

State-level criminal history record checks won't suffice for individuals who have resided in a state for only a short time or who have moved from state to state. You should check

State Records Check *continued*

other states of residence and employment and/or conduct FBI Identification Record checks to more adequately screen these applicants.

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Things That Can Go Wrong

- County-level criminal records weren't sent to the state repository.

- Crimes committed before records were required to be kept (be sure you know the timeframe covered in your state's database).

- Backlog of requests (it may be worthwhile to explain early on to applicants that this process can cause delays).

- A common name; no middle initial, alias; maiden vs. married name; or legal name change (collect additional information that can help positively identify the applicant).

- If there is confusion due to name-related issues, you may need a fingerprint check to determine which one, if any, is the applicant.

- Transposed numbers (always double-check for errors).

- Typographical error.

- False information.

- Lost paperwork (make sure you always keep a backup file).

- State computer system goes down.

- Directions not followed (make sure all your staff know the appropriate procedures).

- False positive or false negative match (Step 5 in this book discusses how to handle these situations).

- Offense codes don't clearly indicate the crime (e.g., the state penal code citation is given, not the common name for offense), which makes it difficult to evaluate without more research (make sure your staff is trained in how to interpret these results).

Restricted Access to Records

While most states do have a process for accessing records, they vary in the level of restriction. New York is the most restrictive state, but almost all states will allow some access under certain circumstances. Third-party vendors such as ChoicePoint and IntelliCorp can get information for you from public records that result from courthouse convictions.

While the best source in this ever-changing landscape is still your state repository, MENTOR/National Mentoring Partnership conducted informal research in 2002 that gives an overview of compliance at that time. See their report, *A State-by-State Look at Access to Nationwide Criminal Background Checks by Mentoring Organizations*, at http://www.mentoring.org/take_action/background/how_your_state_rates.php.

National Record Check

There is no such thing as a national or nationwide criminal history records check. Even the FBI database isn't *truly* national. For one, it doesn't include misdemeanors. Nor does it contain *all* records, only those sent from the county to the state and then forwarded to the FBI. The process is fallible.

Access to the FBI database is governed by the state in which the organization is located and access is through a request to the individual state. The state will charge a fee (set by each state) to check its records in addition to the $18 the FBI charges. How you submit the fees is up to each individual state.

The FBI checks against the National Criminal Information Center database. The NCIC maintains a computerized index of criminal justice information. Data contained in NCIC are provided by the FBI; federal, state, local, and foreign criminal justice agencies; and authorized courts. The data are available to federal, state, and local law enforcement and other criminal justice agencies 24 hours a day, 365 days a year.

Fingerprint-based searches are the most reliable way to conduct criminal record checks and the least likely to result in either a false positive or a false negative search result. For an organization to conduct FBI criminal history record checks, the state in which the organization is located must have enacted legislation authorizing access to FBI criminal history records for screening individuals for noncriminal justice purposes. The state of Wisconsin provides a really great tool called *State Contacts for Background Checks*[2] that summarizes what each state will and won't allow.

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How

The FBI is empowered to exchange criminal history record information with officials of state and local governments for employment, licensing (which includes volunteers), and other similar noncriminal justice purposes, if authorized by a state statute that has been approved by the U.S. attorney general. The state statute guidelines must require fingerprinting and authorize the governmental licensing or employing agency to exchange fingerprint data directly with the FBI to get results. Thus, you **must** contact the appropriate state identification bureau (or state police) for the correct procedures to follow for obtaining an FBI fingerprint background check for employment (see Appendix B).

Any matches found in the FBI records are confirmed through fingerprint analysis before a report is sent to the state requesting the record check. The state agency then sends its report, which contains data from any source in the NCIC database, to the mentoring program.

For a national records check, the FBI requires that:

■ The applicant provide a complete set of readable fingerprints (original on proper card or electronic) and sign a statement indicating whether he/she has ever been convicted of a crime. If he/she has been convicted of a crime, a written statement must describe the crime and give the particulars of the conviction.

[2]Online at: http://www.doj.state.wi.us/dles/cib/sclist.asp

National Record Check *continued*

■ The organization must inform the applicant that it may request a record check for the volunteer position sought. As mentioned previously, this should be covered on your forms.

■ The organization must inform applicants of their rights to obtain a copy of any background report and to challenge the accuracy and completeness of the information with the agency providing the information before a final determination of eligibility is made.

The SafetyNET program is another option for conducting these checks in many states. See page 29 for details.

Cost

FBI record checks for volunteer mentors cost $18 per individual *plus* the price of a check within the state that is making the request to the FBI. Refer to individual state contacts (phone or Web site) listed in Appendix B. While these checks are most often handled by local law enforcement (often for free), plenty of private fingerprinting services are available in most communities. Their costs may vary.

Timeframe

Allow approximately three weeks for processing from the time the FBI receives the request from the state. The amount of time the state takes to send the request to the FBI varies.

The poor quality of fingerprints submitted for identification is a common reason that FBI record checks take as long as they do. The FBI reports that even when a trained technician takes the fingerprints, it has to reject a significant percentage because they are unreadable. The FBI requires a complete set (all 10 fingers) of clear, readable prints for noncriminal justice record checks.

What To Expect and What You'll Get

An FBI Identification Record, often referred to as a Criminal History Record or "rap sheet," is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, federal employment, naturalization, or military service. If the fingerprints are related to an arrest, the Identification Record includes the name of the agency that submitted the fingerprints to the FBI, the date of arrest, the arrest charge, and the disposition of the arrest (case dismissed or defendant convicted), if known to the FBI. All arrest data included in an Identification Record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities.

National Record Check *continued*

Other Considerations

The FBI Web site also provides a procedure that allows *individuals* to obtain personal FBI Identification Records about themselves. This means that you could have your prospective mentors pay for and receive their records, which they would then pass on to you. However, there is no way to guarantee that the information contained on the records would not have been altered prior to your seeing it. Even if it wasn't altered, a record provided to the applicant for personal review only contains information maintained by the Criminal Justice Information Services (CJIS) Division and may lack dispositional data and/or arrest records that are maintained only at the state level. So stick with the process dictated by your state.

Things That Can Go Wrong

- Fingerprint records aren't readable (sometimes they need to be redone)

- People are intimidated by going to the police station to get fingerprinted

- Fingerprinting agency has limited and inconvenient hours of operation

- Person has illness (for example, Parkinson's, arthritis), physical deformity (amputation, chemical or other burn) that makes fingerprinting difficult or impossible

- Machine just can't read the fingerprints (no reason given)

- State doesn't have a statute allowing access to FBI Identification Record (you will need to put extra emphasis on your other screening methods if this is the case)

- Applicant doesn't wish to be fingerprinted (at which point the applicant is disqualified from your program)

- Delayed results discourage the applicant and he/she withdraws from consideration (be clear about possible delays up front)

- Items submitted to the FBI are missing or incomplete (be sure to fill out the paperwork properly)

- Offense codes don't clearly indicate the crime (for example, the state penal code citation is given, not the common name for offense), which makes it difficult to evaluate without more research (make sure your staff is trained in how to interpret these results)

SafetyNET: A Move Toward Simplifying the Process

SafetyNET (http://www.mentoring.org/safetynet/) is a nationwide FBI fingerprint-based background check program operated in conjunction with MENTOR/National Mentoring Partnership. The pilot program runs through June 2008. Any mentoring program in the United States is eligible to apply.

Process

- First read the SafetyNET Manual appropriate for your state (Tennessee, Virginia, and Montana have different criteria).

- Apply using online form.

- Give each potential volunteer an application and fingerprint card to be filled out and returned to you. Local police stations usually do fingerprinting for a fee of less than $5.

- Mail the fingerprint card, application, and payment of $18 to MENTOR/National Mentoring Partnership. (The fee is higher in Tennessee, Virginia, and Montana as they charge a fee to run the state background check in addition to the FBI fee.)

- MENTOR submits fingerprints electronically to the FBI for the criminal background check. FBI submits the applicant's records to the National Center for Missing and Exploited Children, which examines the records and determines how fit the applicant is to be a mentor based on crimes in six categories.

- NCMEC assigns a Red, Green, or Yellow light to the person and posts it to a secure Web site where you can download the results. It's up to the program to decide next steps: accept or reject the applicant, or do additional checking.

- At any time during the process, you can log into your password-protected Web site and access a "volunteer tracking" module showing where each volunteer is in the process. Average response is three to five business days. (In Tennessee, Virginia, and Montana, add the time it takes to process state records.)

For more information:

SafetyNet Fact Sheet: http://apps.mentoring.org/safetynet/factsheet.adp

SafetyNet Manual: http://apps.mentoring.org/safetynet/manual.adp

SafetyNet Application Form: http://www.mentoring.org/safetynet

Local Criminal History Record Checks

The most common sources of local criminal history records are court documents (usually county courts). The information you'll obtain is limited to cases processed by the agency providing the information. But these may still be valuable to your program. In states that don't have statutes allowing access to national FBI Identification Records, a third-party vendor may search these records and provide a report, giving you an extra level of investigation.

How

To find out how to gain access to these records, contact the clerk of your local court.

Cost

Costs for local record checks range from $5 to more than $25 per jurisdiction.

There may be an additional fee for accessing archived records. Most likely there will be a fee for making copies of the records, especially if they must be certified copies. Check with the clerk of your local court for specifics.

Timeframe

Considerations include hours of operation, whether records are located on-site or stored elsewhere, and whether the documents are archived and/or require additional searching to locate a docket number. Again, check with the clerk of the specific court for direction.

Other Considerations

You may need to check several local sources to screen applicants who have moved from county to county within a state. Dealing with local government bureaucracy can be tedious, tiresome, and frustrating, and depends a lot on the attitude, skill, and perseverance of the people who assist in the search. This level of search may only be required if there have been red flags raised during the interview that haven't been set to rest by a state-level search (including sex-offender registries) and an FBI fingerprint search.

Things That Can Go Wrong

■ Name, date of birth, or Social Security number being searched doesn't match name in court documents (you may need to collect additional applicant information).

■ Records are missing.

■ The state-level agency with records for sexual offenders isn't searched by this method.

Sex-Offender Registries

The 1994 Jacob Wetterling Act requires the states to register individuals convicted of sex crimes against children. Megan's Law, enacted in 1996, gives the states discretion (choice within certain legal bounds) in establishing criteria for disclosure (how to make it known), but urges them to make private and personal information on registered sex offenders available to the general public.

Guided by state and federal Megan's Laws, every state and the District of Columbia has established a sex-offender registry. These databases are lists of individuals who have been convicted of criminal sexual conduct ranging from child molestation to rape. While the scope of offenses included in sex offender registries is limited, such registries offer an advantage that state criminal history record checks don't—they have the potential to list sex offenders living in the state no matter where their convictions happened.

According to the federal law, individuals who have been convicted of specific sexual crimes (defined by the state statute) are required to register:

■ When they live in the state

■ When they work in the state

■ Within a defined number of days (specified by state statute) of moving into a new state

Although mandated by law with penalties for noncompliance, the registry is only as sound as the information submitted and entered into the database in a timely manner. KlaasKids Foundation (http://www.meganslaw.org) provides a state-by-state assessment of the sexual-offender information available in each state and the District of Columbia. In addition, some states list the counties that have individual registries. Each state registry identifies when it was last updated and gives contact information, guidance on who should register, what information is collected, who has access to the information, and a link to the state authorizing agency's Web site.

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How

A version of Megan's Law is on the books in all 50 states and the District of Columbia. Several states (and the District of Columbia) list convicted sex offenders on the Internet, where information provided by that state is accessible by the public. Listings of state Web sex offender registry sites are provided by the FBI[3] and by the Department of Homeland Security.[4]

For each state it is important to determine:

■ Appropriate contact information

■ Definition of an adult sexual offense

[3]http://www.fbi.gov/hq/cid/cac/states.htm
[4]http://www.ice.gov/pi/predator/sexoffenders.htm

Sex-Offender Registries *continued*

■ What information is released to the public

■ Whether the information is accessible online

■ Whether there is "active notification" of schools and childcare facilities

In addition, the previously mentioned KlaasKids Foundation provides links to state registries and their applicable county-level agencies.[5] Their site also contains a list of States That Offer Internet Access to Felony Criminal History Information, with links.[6]

A new resource that may be helpful in checking sex offender registries is the National Sex Offender Public Registry,[7] **which gathers the Web site search features of 22 states and the District of Columbia into one site. This site allows agencies to check multiple states without having to visit each site individually.**

What To Expect and What You'll Get

Since each state and the District of Columbia is allowed discretion in how it will disclose information on offenders to the public, there are 51 opportunities for variance. States have great latitude in how they arrange the information they do provide to the public. In the District of Columbia, people are listed by names that are grouped by Zip Code. The Illinois database may be searched by name, city, county, Zip Code, or multiple parameters.

Cost

Those states (and the District of Columbia) that offer the public access to sex-offender registry information on the Internet do so for free. Visits to a local police district(s) to view records may be free in dollars, but cost your program the time and effort expended.

Other Considerations

The information provided on these Web sites is "information of record" and may not reflect the current residence, place of employment, school, status, or other information concerning the registrant (offender). Unfortunately, sex offenders are responsible for their own compliance, and each state has different rules. States' methods for tracking known sexual offenders vary (for example, Texas has global positioning satellite systems with transmitters attached to offenders; Cook County, Illinois, did a multijurisdictional sweep in February 2003 targeting unregistered sex offenders), as does how much personal information will be made publicly available. For example, Illinois indicates if the person is compliant (be sure to check the date the site was last updated), a sexual

[5]*Sex Offender Registration & Community Notification Internet Access* at:
 http://www.klaaskids.org/pg-legmeg2.htm

[6]http://www.klaaskids.org/pg-offenderlinks.htm

[7]http://www.nsopr.gov

Sex-Offender Registries *continued*

predator, or currently incarcerated. Washington, D.C., indicates if the person is currently wanted by the police. Nevada only lists the Zip Code where the offender lives or works. Even if the offenders comply with the law, it's still up to the jurisdiction to make changes to the database and upload changes to the Web site, which KlaasKids Foundation (http://www.meganslaw.org) shows varies tremendously.[8]

Things That Can Go Wrong

- Failure to register initially, or upon change of address (many offenders go "underground" in an effort to keep their past secret, making some of these databases incomplete).

- Photograph or photo shown no longer resembles offender.

- Not enough personal data supplied to differentiate between all the "John Smiths" in the registry (collect more information from the applicant if you have doubts).

- Search made during grace period (number of days offender has to register changes in circumstances). For this reason, you may want to check these records periodically to see if any of your mentors have new offenses.

- Level of offense isn't listed on the Internet version of the registry (for instance, in Washington, D.C., the Sex Offender Registry database provides information on Class A sex offenders only; to see a complete list of all Class A, B, and C offenders one must go in person to one of the Registry Book locations).

- Conviction prior to Megan's Law enactment, January 1, 1996.

- Information on the state, county, city registries conflicts (ask more questions to get the information you need).

- Results interpreted inaccurately (mistakes do happen).

- Typos made when entering data.

- Name issues: common name, no middle initial, alias; maiden vs. married name; or legal name change.

[8]This page references the last time states updated their Web sites: http://www.klaaskids.org/pg-legmeg.htm

Child Abuse Registries

Every state has developed procedures for maintaining records of child abuse and neglect. Most states maintain some sort of central registry, which usually consists of a centralized, computerized database of child abuse and neglect investigation records. The type of information, and access to that information, varies from state to state. The Child Welfare Information Gateway provides an online State Statutes Database that is searchable by state or region that can provide guidance on doing these checks in your area (http://www.childwelfare.gov/systemwide/laws_policies/search/index.cfm).

Approximately 42 states, the District of Columbia, and the U.S. Territories of American Samoa, Guam, and Puerto Rico have statutorily created central registries, according to the latest information from the Child Welfare Information Gateway.[9] Colorado, Kentucky, Maine, Minnesota, New Mexico, Washington, West Virginia, Wisconsin, Northern Mariana Islands, and the Virgin Islands do not have centralized registries at the time; in those states records may be maintained by the agencies that received the reports of suspected abuse or neglect.

No states make their lists public, according to the clearinghouse, but in South Carolina "any person can check a name against the registry with the written consent of the person they are checking." (This is something to keep in mind when creating the authorization form to include in your program's Applicant Packet.) The level of access in *your* state will vary.

How

Each state designates specific agencies to receive and investigate reports of suspected child abuse and neglect. Typically, this responsibility is carried out by child protective services (CPS) within a department of social services, department of human resources, or division of family and children services. Check your state's appropriate Web site for information about access to its central abuse registry background check.

As with most checks in this chapter, access varies. For instance, in Mississippi, child care facilities, schools, residential facilities, and the Mississippi Department of Human Services can request central registry background checks on potential employees and volunteers after providing the appropriate signed and witnessed permission from the applicant being checked. The person's full name (including maiden name and/or alias, if applicable), Social Security number, birth date, and current address are required.

Cost

Free in some states (Mississippi makes it free to the groups above), fee-based in others. Check with your state source for details.

Timeframe

A central registry background check can take approximately seven to 10 business days to process and mail back (continuing with the Mississippi example from above). Check with your state source for details.

[9]http://www.childwelfare.gov.

Child Abuse Registries *continued*

What To Expect and What You'll Get

According to Delaware's registry, its report will indicate if the applicant matches any records and if so, whether the applicant is a perpetrator in any substantiated cases of child abuse or neglect. Again, other states will vary.

Other Considerations

Because of the potential gaps in these registries, your program may choose to only access these records to answer specific abuse concerns.

Things That Can Go Wrong

■ Some states don't even have a central child abuse registry.

■ Limited access in your state.

■ Results not included in a state criminal background check (the registry tracks civil wrongdoings, not court documents).

■ The list may be incomplete: names may not appear on the list because of cases settled out of court; not appearing on the registry may have been used in a plea bargain (meaning you'll have to try to get at this personal history through interviews and references).

■ Names may have been removed from the registry after a certain number of years (check on your state's rules for expunging records).

Private Screening Firms

The intense interest in the use of criminal history records for screening individuals who serve as mentors has encouraged private security firms to expand their services by offering criminal history screening programs to nonprofits. You may find that retaining the services of a private firm to conduct criminal history record checks speeds up the screening process, as these firms create and maintain their own databases of criminal history information and are often able to provide extremely rapid responses to record check requests. In addition to the comparatively quick response, private firms often offer such additional screening services as confirmation of academic credentials or motor vehicle record checks.

How

To locate private companies that do criminal history background checks for employment and volunteers working with youth, talk to other mentoring or volunteer programs in your area. Recommendations from satisfied customers are the best resource. Several vendors have developed screening programs specifically for nonprofit volunteers and offer these services at a discounted rate. A search on the Internet for "volunteer screening vendors" should help identify other screening services in your area. If your program is school based, check to see if private services are already under contract or on a preferred vendor list.

Cost

The cost of retaining a private firm to conduct criminal history screening may be somewhat higher than accessing records through a state agency. The companies offering criminal history background checks realize, however, that they must be competitively priced to attract customers. As an example, VolunteerSelect (http://www.volunteerselect.com) charges $6.50 per applicant, depending on the state and the specific services used. Check other companies' Web sites for comparable fees and services. Some users of private screening services find that the increased costs are more than offset by the reduction in administrative time and inconvenience. This is especially true when information must be obtained from several jurisdictions.

Organizations that require hundreds of screenings a year can try to negotiate a monthly fee or retainer with a private company, which might reduce the overall cost per applicant.

What To Expect and What You'll Get

Most likely you can choose from a menu of record checks and negotiate add-ons for a fee. Technically, the report will be a compilation of the government databases (local, state, and federal) that indicate how closely the applicant matches a list of offenses and the outcome (disposition) of the charges that were filed. The report should give the source for each of the citations.

Private Screening Firms *continued*

Other Considerations

Background checks performed by private vendors must comply with the provisions of the Fair Credit Reporting Act and those of the state laws for screening volunteers.

These are name-based record checks using the person's full name, date of birth, and Social Security number. When two of these three identifiers match, you will receive a report. If there is more than one person who matches those identifiers, you must take additional steps to verify identity. Sometimes this involves a combination of private vendor and FBI fingerprint-based checks.

Things That Can Go Wrong

- Private vendor not reliable or timely (if so, find a new one immediately; safety is an issue)

- Expectations of what the vendor can/will provide are unclear (know what you need and make sure they provide it)

- Vendor fails to obtain permission of the mentor for the screening (solidify your procedure for this and make sure it is followed consistently)

- Numerous false positives due to common names

- Pending offenses not included in their databases

- Offense codes don't clearly indicate the crime (for example, the state penal code citation is given, not the common name for the offense), which makes it difficult to evaluate without more research (make sure your staff is trained in how to interpret these results)

And remember . . .

Criminal history background checks have a prominent place within the screening process, in spite of their limits. The databases the information is drawn from aren't perfect. And even if the databases could be rendered perfect, only the people who have committed a crime and been arrested would be found. The results still need to be weighed against the limits set by the program and taken into consideration as a whole. Running criminal history background checks for volunteer mentor applicants shows that reasonable care and due diligence have been used in the selection process.

Once you have the results of your checks in hand, it's time to evaluate the results and make some decisions.

Step 5

Interpreting the Results of Record Checks

Programs sometimes make the mistake of viewing a clean criminal history as evidence that an applicant is perfectly safe and suitable. Unfortunately, no criminal history record check can fully document these attributes. The lack of a criminal history record can't be used to predict future unlawful behavior.

Even past behavior is still open to question. As the last chapter illustrated, criminal history databases aren't perfect. An applicant may be mistakenly identified as having a criminal history record (false positive), and an applicant with a record can just as easily be identified as not having one (false negative). Unless the record check was based upon fingerprint comparisons (FBI, SafetyNET, and some states), there is no guarantee that the individual applicant being checked is the person with the criminal record. And even then, the FBI databases are only as conclusive as the data supplied by local and state jurisdictions. The applicant may have used a false name or legally changed his/her name through marriage, divorce, or court decree. Thus, a clean record merely means that no record of past criminal convictions was *found* for the individual in question.

Regardless, your program *is* doing checks and you have results you need to interpret. When an applicant is found to have a criminal history record, your program should:

1. Confirm, to the best of your ability, that the individual hasn't been identified in error. This may require asking further questions of the applicant or working with a particular law enforcement agency to get the information needed to clarify the situation.

2. Determine that there is a disposition for the crime (case has been dismissed or they were convicted).

3. Apply your program's criteria for disqualification and mitigating circumstances.

4. Disqualify the applicant if the person has been convicted of any disqualifying offenses without sufficient mitigating circumstances.

5. If there is an offense that does not warrant immediate disqualification, use this opportunity to ask more questions and gather more information so that you can make an informed decision.

Disqualifying Criteria

Information obtained should be interpreted solely on the basis of an applicant meeting the requirements necessary to perform successfully as a volunteer mentor. Refer back to your volunteer mentor position description and the list of identified risks inherent in the position, and list disqualifying offenses and mitigating circumstances to be taken into account.

Permanent Disqualifiers for Every *Program*

■ Prior history of abuse of children, sexual and otherwise

■ Conviction of any other crime in which children were involved

■ History of extreme violence or sexually exploitive behavior

■ Termination from a paid or volunteer position caused by misconduct with a child

Sample Mitigating Circumstances (as mentioned earlier in this book, these need to be determined by your program and should reflect the position description and your program's mission and values):

■ Offense doesn't pose a risk to youth

■ Level of offense: felony or misdemeanor

■ Nature of the offense (Violent? Involving children?)

■ Whether the charge resulted in a conviction or acquittal (see below)

■ Type of sentence

■ Whether the applicant successfully completed probation

■ Date of the offense (how long ago)

■ Additional offenses to the one in question (the sum of their record of behavior)

■ Length of sobriety (if drug or alcohol related)

Disposition Determination

You need to determine the disposition, or outcome, of the case: either it was dismissed, or the person was given community service, paid a fine, was given probation, or was incarcerated in a jail or prison. Closely read the criminal history record for each applicant to determine these outcomes. The screening sequence recommended in this guide encourages applicants to self-select out prior to this phase and encourages the program to determine from interviews and reference checks that the person is unacceptable. Thus, you should not receive many records with serious offenses on them.

The results of criminal history background checks at the state level vary: some can provide a complete rap sheet, some will list only crimes for which a conviction was obtained. Other states may indicate only if the person should be allowed to work with children.

Wisconsin's *Interpreting Responses* is an extremely well-illustrated, online document that explains how to read the reports programs in that state receive.[10] Minnesota's *Reading Computerized Criminal History Records* is also quite helpful.[11] Other states may have a similar help tool associated with interpreting their criminal history background-check instructions.

Rejecting Applicants Based on a Background Check

If you must reject a prospective mentor based on the results of a background check, you should follow the guidelines the Fair Credit Reporting Act requires for employees. You should notify the applicant in writing if he or she is disqualified based on information received from (name of the agency that provided the records). You should have a standard letter that you send out in these situations (or, your program may choose to tell the applicant over the phone). If sending a letter, you may want to use wording such as:

> *Based on information [program/organization name] received from [source name], we are declining to accept your application as a volunteer mentor at this time. If you are able to substantiate an error and have the records corrected by [name of source], we would be happy to entertain an application in the future.*

Remember: The law requires that you must give rejected applicants copies of the documents and the sources that were used to disqualify them from the position if an applicant requests it of you. The person has the right to contest the findings with the agency that provided them

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[10] Available at: http://www.doj.state.wi.us/dles/cib/forms/cib/reading.pdf

[11] Available at: http://www.dps.state.mn.us/bca/cch/cchinfo/criminal2.htm

(state, FBI, city, county, or other). Instruct the applicant to contact the source(s) directly to dispute the findings. You never want to put yourself or the organization in the middle of such a dispute. You should have a formal policy that states that all appeals as to the accuracy of records checks are between the applicant and the record source. Applicants should also know that your rejection is not up for appeal unless new information is provided that corrects a mistake made during a records check.

As mentioned earlier, the lack of a criminal history record can't be used to predict future lawful behavior. False positives and false negatives occur. A fingerprint-based record check is the most conclusive, but even the FBI's database is only as accurate as the data supplied by each state. Many people who perpetrate crimes against youth have no criminal record; they haven't been exposed, caught, or arrested. There is no way to eliminate all risk. Criminal history record checks, and the decisions you make as a result, are but one method of screening to make the mentoring program safe for mentees.

Rejecting Applicants for Other Reasons

Just because someone's criminal history is acceptable doesn't mean that he or she can't be rejected. You may have uncovered things through the interview process, reference checks, or during your interactions with the applicant during training and orientation that make you uncomfortable about accepting him or her into your program. Thus, your program's screening policy should provide direction for rejecting applicants based on non-criminal history factors.

Many programs handle these rejections through a policy of "right of refusal," as mentioned earlier in the discussion on Application Packets. Such a policy allows your program to simply send a letter saying "you have not been accepted." You may choose to use wording such as "we do not have an appropriate match for you." Just make

sure that all applicants know up front that your policy makes all decisions yours and that you are not inherently required to tell them the reasons behind them. This can be particularly useful if rejecting an applicant because of information from a reference. Applicants should have the right to contest faulty criminal records checks, but they do not have the right to challenge your assessment of them as unfit for your program.

Step 6

Additional Screening Mechanisms

Why, you might ask, would I need to do additional screening? Doesn't the criminal history record check and review of state sex offender registries give me enough information to determine whether or not the person is appropriate to be a mentor? The answer is "Yes" only if that *gives* your program *all* background information it needs to determine the eligibility of your specific volunteers. Chances are you need more information than those two checks provide.

Remember, the screening methods you choose are tied to the details of the position description and possibly the school setting or district policies governing all volunteers on school campuses. Therefore, you'll need additional checks if mentors are, say, required to drive as part of their duties. You would then need to check driving records. If mentors are required to handle money as part of their duties, you would need to run a credit-history check. If school or district policies require a TB test for all on-campus mentors, then you have an additional screening mechanism to consider.

Depending on your circumstances and volunteer requirements, some of these screening mechanisms may not be necessary. It is up to your program, your legal counsel, and your school partners to determine if any of these are required.

Driving Records

If your mentors transport people or merchandise, it's important to verify the applicant's driving record, also known as a motor vehicle report, in the state where the applicant currently resides and works, and all those states he or she has lived and worked in during the past seven years.

How

A listing of links to state DMVs is available at DMV.org.[12] There is no universal form or set of instructions. As with most checks, follow the directions on your state's site. Depending on the state, the applicants themselves may have to submit the request for the check, instead of your mentoring program. Regardless, the information needed to do a driving record search (full name, date of birth, Social Security number, and driver's license number) should be gathered on your application and verified by photocopying the license during the interview.

Cost

According to the state comparison chart at DrunkDrivingDefense.com,[13] prices for regular and certified records range from "no fee" in New Mexico to $16 in Rhode Island per record checked. *Certified* records generally cost more; although, ironically, in the two states with the lowest and highest rates this is not the case.

Timeframe

This varies depending on the state. There is a compilation of such data called the MVR Turnaround Schedule available online.[14] But for the most up-to-date information go to your state DMV Web site.

What To Expect and What You'll Get

The DMV check provides a history of reportable accidents, convictions, suspensions, license expiration and restoration. Checking driving records for people who will drive for the program shows due diligence, which may be used as a defense should the volunteer mentor have an accident injuring persons or property.

Other Considerations

The license checked must match the vehicle to be driven while serving as a mentor. In most states a 15-passenger van is the largest vehicle permitted to be driven with a regular state-issued driver's license. Special licenses are required for buses and trucks.

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[12] http://www.dmv.org/driving-records.php

[13] http://www.drunkdrivingdefense.com/national/dps-offices.htm

[14] http://www.informationresources.com/dmv.htm

Driving Records *continued*

Things That Can Go Wrong

- A common name; no middle initial, alias; maiden vs. married name; or legal name change

- Transposed numbers

- Missing data

- False information

- Lost paperwork

- Directions not followed

Credit Checks

If a volunteer is going to be handling money as a regular part of his/her scope of work for the program, by all means, do a credit history report. If not, do not bother. This can be construed by many as a violation of privacy.

Program coordinators must notify an applicant in writing that a credit report may be used in making an employment or placement decision and get written permission prior to requesting a report from a credit bureau. There are three national credit reporting agencies: Equifax, Experian, and Trans-Union. The Fair Credit Reporting Act governs the release of information from credit bureaus.

How

Notify the applicant in writing and get signed permission to request a credit report. There are three national credit reporting agencies:

- Equifax: http://www.equifax.com; 1–800–685–1111

- Experian (formerly TRW): http://www.experian.com ; 1–888–397–3742

- Trans-Union: http://www.transunion.com

Credit Check *continued*

Check these providers' Web sites for specific, current instructions. In general, the request requires full name, Social Security number, date of birth, and current address, or last address if applicant moved recently.

Cost

■ The cost is approximately $9 for a basic report.

Timeframe

■ Timeframes may vary, but results are available both online and by mail.

What To Expect and What You'll Get

The information obtained can include: name(s) on bank accounts, date opened, status date, credit score, amounts owed, credit rating and history, late payments, public record amounts.

Other Considerations

These checks are very intrusive and many applicants will object to their use. Do not request unless the position requires the person to handle money for the organization as a mentor.

Things That Can Go Wrong

■ Not getting a signed consent form prior to requesting the credit report.

■ Results are unclear or confusing.

TB Test

School or district policy may require that mentors in your program have a TB test. Be aware that:

■ These tests can be costly and time-consuming.

■ False positives can require retesting, delaying getting matches made.

■ The tests can be considered an invasion of privacy if they aren't required by school or district policy.

Drug Testing

Obviously, protecting mentees from harm is one of the main goals of your program. Any drug testing you require should clearly lead to that end and not simply be an end in itself. Your program will need to determine how applicable this screen is to your program goals and your position description.

- There must be an underlying program-related reason for testing, such as ensuring that mentees who are in recovery from substance abuse aren't matched with a person currently using or abusing drugs. Or school policy may require that your mentors pass a drug test. Testing must be purposeful or else it will be considered an invasion of privacy.

- Keep in mind that drug testing can be very expensive.

- A strong anti-drug and alcohol policy for all volunteers and employees might give your program the protection it needs.

Psychological Testing

In general, don't use psychological tests for screening. These screens are difficult for the average program to conduct in a useful way:

- Commonly used psychological tests aren't designed to measure abusive tendencies of child- and youth-serving volunteers.

- Psychological tests need professionals trained to administer the test and interpret the results.

- It can be extremely costly to retain outside psychologists or other professionals who can make this testing worthwhile.

Home Visits

Home visits are tempting for many programs but have limited usefulness, especially for site-based programs. Staff members are usually not trained to spot hidden signs of pedophilia and other red flags that would indicate a truly unsafe volunteer. But if your program does allow matches to meet in homes, a pre-match visit can give an indication as to the general cleanliness and safety in the home, as well as information about others who live in, or frequent, the home. But these visits can be time-consuming for staff and, unless unannounced, unlikely to yield much information.

Obviously, if you're a site-based program, home visits will not make much sense. Creating a policy that precludes matches meeting at mentors' homes, and diligent monitoring of matches to look for problem behavior, should be enough to minimize risks and eliminate the need for a home visit.

Confirmation of Credentials

When a mentoring position requires specific licenses, certificates, or academic preparation, a staff member should telephone the credentialing organization or institution and confirm that the applicant actually received the degree, license, or certification. Document the name of the person who supplies the confirmation, along with the telephone number and date for your records in case there is a disputed finding. Copies of credentials may also be kept in the applicant's file.

Polygraphs (lie detectors)

The Employee Polygraph Protection Act of 1988 prohibits the use of polygraphs in employee selection. Their use for screening volunteers is discouraged for many of the same reasons that prompted enactment of the federal law.

Step 7

Pre-Match Training and Moving Toward the Match

Applicants who reach this stage of screening have completed all previous steps and have been found appropriate to be a mentor in your program. Whereas the interview, references, and background checks have provided a snapshot of each applicant, formal pre-match training will provide cinéma vérité—showing them in action. Pre-match training provides opportunities to observe how the applicants respond to instruction, accept policy guidelines, and interact with others, which can indicate ways that applicants are appropriate, or inappropriate, for the program. For all intents and purposes these applicants are now potential mentors, but coordinators may want to think twice about matching people who don't take well to the concepts stressed in the pre-match training.

The formal training will probably take several hours per week until all the material is covered and questions can be answered. While your training will also include many other topics related to the match and relationship development, from a screening/risk management standpoint, all mentor training programs should include:

■ **Additional Orientation**

This session expands the introductory orientation that occurred before applications were filled out. This is where you really explain the day-to-day operations of your program and what volunteers can expect. Introduce key people and resources and explain how to access them.

■ **Position Description**

Review the volunteer mentor position description, especially the role and responsibilities.

■ **Abuse Prevention**

Teach mentors how to prevent and detect abuse and neglect within the population served. Although preventing mentors from harming mentees is a prime concern, a mentor may be in the best position to detect or suspect that a child is being abused by someone else. Review procedures for reporting suspected abuse.

■ **Confidentiality Policy**

Explain the program's policy and why privacy is so important. Mentors must agree to keep confidential information (school records, medical and therapeutic data) private.

■ **Diversity**

By this we don't mean understanding cultural differences (although that topic may get covered in your trainings as well), but rather the awareness of special needs of mentees. Mentors need to understand the need and appropriate ways to assist and accommodate such things as wheelchair transfers, guiding the visually impaired, or responding to a seizure.

■ **Insurance and Liability**

Provide an overview of the insurance program's coverage (especially for liability) as it applies to the volunteer mentor.

■ **Personal Safety**

Teach the mentors how to identify crisis situations (being aware of their surroundings) and how to protect themselves and their mentee when they may be in danger.

■ **Supervisory Policies**

People can't follow the guidelines if they don't know what's expected of them. Review the program's policies, rules, and regulations. Because the program serves children (youth, teens), emphasize the importance of identifying and reporting any suspected abuse.

■ **Grievance Procedures**

Explain the procedures for handling grievances or allegations of misconduct. Outline the investigative procedures and appeals process. Illustrate how to file a report or grievance.

■ **Transportation Policies**

Explain the program's transportation policies: guidelines for vehicle use, driving rules, expense reimbursement, rider policy, etc. These should be in effect whether the program owns the vehicle or the mentor is driving his or her own vehicle.

■ **Statutory Requirements**

Your program, school, or youth service population may have special requirements related to state and local laws (for example, youth-to-youth mentoring programs may actually be subject to child labor laws). If applicable, review the requirements for juvenile service, probation, school regulations, etc. If mentors must meet those requirements, ensure that they know and understand their responsibilities.

■ **Crisis Management**

Review the program's crisis management plan with mentors. Introduce the people to call when reporting an event. Cover who will speak to the press and who will file reports. Provide a list of relevant names and their roles.

Should a mentor exhibit behaviors or attitudes not appropriate to the position during training, it may be a red flag that the person is not suitable for your program. No matter how stellar the person seemed on paper, if actual performance doesn't support the skills and characteristics that would make him/her successful in your program, you may want to (politely) reject the volunteer.

Remember, training is an ongoing activity. Your program should develop short refresher courses to address particular relationship issues and to introduce changes within the program or its policies. Supervisors should also be available to work one-on-one with individual mentors any time the need arises.

Step 8

Match Supervision

Match supervision is what makes or breaks a successful community- or school-based mentoring program. Even when each applicant is dutifully checked and cross-checked (by job description, orientation, references, background checks, and pre-match training), an inappropriate candidate can become a mentor. Or a formerly appropriate candidate may suddenly become an inappropriate mentor because of changes in his/her circumstances or behavior. Only continuous match supervision will provide the ongoing measurement of how capable and appropriate each mentor's performance is in the program.

Match supervision, sometimes called case management, means regularly monitoring the interaction between mentor and mentee. During the initial period as the relationship between mentor and mentee is forming, contact will be frequent. For community-based matches, we recommend

John C. Patterson, senior program director at the Nonprofit Risk Management Center in Washington, D.C., warns:

"It's very important to interview the mentor, the mentee, and the mentee's caregiver (parent or guardian) separately, in each relationship. In many child sexual abuse (molestation) cases, compliance with supervision/case management standards has been found to be quite lax at the program: contacts with mentor/mentee are below average, and staff may be equating contact attempts with actual contacts. Trying to make contact does not equal making contact when the safety of children is at stake."

that you assess how things are going within the first two weeks and for several months following. If the relationship appears to be running smoothly, then contact may decrease to once a month thereafter. If you are a site-based school program, you may have contact much more frequently, even daily. The purpose of the supervision is to ensure that the match continues to make progress and to address any problems that may arise.

Supervisory or Case Management Standards

Standards for supervision and case management should be well documented in a policies and procedures manual. Such standards could include:

■ The case manager must actually speak to the mentor, mentee's parent or caregiver, and mentee (left messages do not count).

■ The conversations must be held consistently and on schedule. Many programs choose weekly or biweekly contact with all participants for the first few months or until the match hits its stride.

■ The supervisor/case manager will use a set of open-ended, specific questions that encourage conversation and details rather than a one-word answer (for example, "What have you been doing?" rather than "How are you doing?").

■ The supervisor/case manager will follow up red flags in answers with more indepth questions (for example, a "Yes" answer to "Has your mentor ever asked you to keep a

secret?" should be followed up with a second question: "What was the secret?").

■ The supervisor/case manager must keep a written record of the conversations, noting the name of the case manager, name of mentor/mentee or guardian, date, and responses.

■ When reasonable attempts to contact the mentor over [specific time period: a week, 10 days, a month] aren't successful, the supervisor/case manager should begin the match closure process and continue to try to contact the mentor until there is some resolution to the matter.

Questions To Ask Mentors During Check-in

■ When did you and your mentee meet?

■ How much time do you spend with your mentee?

■ Where do you and your mentee meet?

■ Who else is there at the time you are together?

■ What have you been doing together?

■ What do you enjoy about the meetings?

■ What things about the meetings would you like to see changed?

■ Did your mentee seem to enjoy the meeting?

■ Has your mentee asked for any money or gifts?

■ What has been the response from the parent/caregiver?

Questions To Ask Parents/Guardians/Caregivers

■ How does your child respond to his or her mentor?

■ How does he/she act after meeting with the mentor?

■ Has the mentor talked with you about planned activities?

■ How much time does your child spend with the mentor?

■ Do you feel the time spent with the mentor is too much, not enough, or just about right?

■ Does your child talk about the mentor in between their meetings? If so, what does he/she say?

■ Do you have any concerns about the relationship between your child and his/her mentor?

Questions To Ask Mentees

■ When did you and your mentor meet?

■ How much time do you spend with your mentor?

■ Has your mentor offered you any gifts or money?

■ Do you enjoy your time with your mentor?

■ Where do you and your mentor meet?

■ Who else is there at the time you are together?

■ Tell me what you and your mentor have been doing?

■ Has your mentor ever asked you to keep a secret? (If yes: What was the secret?)

■ What do you like about the mentor?

■ What things would you change about your meetings?

Supervision of the mentor/mentee relationship is an essential component of your risk management program. Supervision deals with the here and now, not with past actions. This means that screening is ongoing; it is never "over." Supervision also provides an opportunity to evaluate how well the mentor and mentee are living up to their contract with each other and with the mentoring program. Corrections can be made along the way, and in the event that the relationship stagnates, troubleshooting may put it back in motion. But if safety issues exist, the mentor's relationship with the mentee should be ended immediately and, depending on the nature of the offense, steps should be taken with the proper authorities.

SCREENING PEER MENTORS

Peer mentoring, in which youth mentor other youth, is a rapidly growing strategy, especially in school-based programs. While much of this book focuses on screening adult volunteers, it is equally important for peer mentoring programs to have an established process by which they examine the safety and suitability of their youth mentors. Peer mentors need to be properly screened, trained, and monitored, just like adult volunteers.

Programs setting up peer mentoring services for the first time should pay significant attention to their structure, ensuring that adequate supervision and support are available to matches, that training is developmentally appropriate and thorough, that permissions for participation are in place, and that everyone is clear about program goals, objectives, rules, and guidelines. Peer mentors have the ability to be tremendous role models—of both good *and* bad behavior. So do not make the assumption that a site-based peer mentoring effort is inherently safer or requires less diligence than adult models.

Peer programs, just like their adult volunteer counterparts, should have all their screening policies and procedures in place before beginning recruitment. They should develop position descriptions, set eligibility criteria, establish rules for conduct, and develop all the appropriate forms and permissions they will need to get youth volunteers accepted into the program. All this procedural background should be approved by the appropriate school or program leadership.

The following reviews the eight steps covered in this guide in the context of the peer mentoring model.

Step 1. Orientation Session

Peer mentors are most likely to be recruited from within school settings, so an initial orientation or recruitment session can be done in classrooms, or in before- or after-school meetings. The content for these meetings should be tailored to the age of your potential peer mentors, and should be brief and to the point (remember, youth often have shorter attention spans). Whereas orientations for adult volunteers may stress mentee safety, orientations for peer mentors may cover more basic information, such as the role of a peer mentor, program requirements and eligibility, time commitment, benefits to mentors and mentees, and the application process. Be sure that students know what your screening criteria are and that they have a chance to ask clarifying questions during the orientation.

Some peer programs do not make application materials available at the orientation. Instead, students are asked to pick up an application at the counseling or career office, or from their teacher. This process allows the student to take an active step in the process and also alerts staff and teachers that the student is really interested.

Step 2. The Application Packet

An application packet for peer mentors will not differ substantially from one for adults, but programs will need to be sure that materials are age-appropriate and that all directions for how to apply are detailed and clear. The following tips can make for an effective application process:

■ Include a brief overview of what it means to be a peer mentor, emphasizing the rewards and benefits to both mentor and mentee, and including some important assets that a peer

mentor should possess, such as being a good listener, reliability and trustworthiness, and interest in helping others.

■ Provide a brief job description that includes information on time commitment, duties, activities, and to whom the mentor will report.

■ Make sure the application form gathers basic information about the applicants, including contact information, age, year in school, and any work or volunteer experience they may have. The form should not be too lengthy but should give an applicant an opportunity to say why he or she is interested in being a mentor and hopes to gain from the experience. Young people may be more responsive to completing interest checklists rather than answering open-ended questions about their skills and interests.

■ Collect references from teachers, employers (for older youth), relatives, counselors, and other adults. Peer references may also yield useful information.

■ Make sure you include any permission forms and a letter of introduction directed to parents/guardians. Include a program contact name and phone number so that caregivers can call if they have concerns. Some programs ask for a parent reference, but it may be more useful to simply talk with parents of prospective mentors at some point in the screening process to see if they have any concerns or reservations about their child's participation.

■ If you plan to do a driving record check, get permission from the student. The same rules for driving checks on adults will apply for youth.

■ Establish a clear deadline for receiving the applications. This can be a useful screening tool in itself—students who fail to return the packet in a timely manner may lack the commitment and level of interest needed to be successful mentors.

Step 3. Formal Interviews and Reference Checks

Interviewing each applicant will help you gain a stronger sense of the young person's strengths, interests, attitudes, and motivation. Before beginning interviews, review what you want to learn about the young person and make sure that your questions reflect your goals. What you ask about will be driven by the nature of your program (for example, a heavy program emphasis on tutoring or homework-help activities will necessitate questions about the youth's own study habits). Interviews should be set up to make the student feel as comfortable as possible, since this may be the his or her first experience in a formal interview situation. Take a little time to review the goals of the program, the expectations of peer mentors, and any important rules or selection criteria. Keep your interview questions brief but open ended (young people may need some additional encouragement in an interview to answer questions fully), and allow plenty of time to answer their questions.

Examples of questions you may want to ask include:

■ Why do you want to participate in the program?

■ What do you expect to gain from the experience?

■ Why do you think you would make a good mentor to a young person?

■ What are some of your goals/dreams for your future?

■ What kinds of experiences have you had being around younger kids?

■ How do you solve problems?

In evaluating the results of the interview consider the extent to which the applicant:

- Seems genuinely interested in being involved in the program

- Exhibits good communication skills (would they be able to communicate with their mentee effectively?)

- Understands what it means to be a peer mentor to a younger youth

- Is self-confident and can express some skills they would bring to the program

Checking References

Since criminal and other record checks are generally not an option for screening peer mentor applicants, obtaining personal, employment, and school-based references on each applicant can be very important. Decide in advance how many references and what types you need in order to effectively evaluate an applicant. Again, this should be based on your program's structure: the level of independence and responsibility expected of peer mentors, the amount of supervision you will provide when matches are meeting, the types of activities matches engage in, and other factors.

References from any or all of the following can be gathered:

- A teacher who has had the student in a class at least once

- School counselor or other school staff members who know the student

- An adult who leads an extracurricular activity in which the student is involved (for example, coach, 4-H Club leader, etc.)

- An employer or volunteer supervisor

- Professional staff from an agency or program that provides support to the student

- An adult family friend, mentor, or religious leader

Provide a simple form for references to complete, and have the student be in charge of getting the information to the references in a timely manner. Be sure to include a stamped return envelope for references. You may also want to contact references personally to follow up with them, or to simply ask for contact information and use a phone interview to obtain reference information.

References for peer mentors should focus on such issues as their:

- Level of responsibility and trustworthiness

- Ability to make and keep commitments

- Ability to use good judgment, problem-solving skills, interpersonal skills

- Special strengths or challenges relative to being a volunteer peer mentor

Step 4. Criminal Record Checks

Juvenile criminal records are usually sealed to anyone except the youth, his/her parent or guardian, and appropriate law enforcement and juvenile justice entities. Thus, peer mentoring programs must rely on other evidence to assess the youth applicant's appropriateness as a mentor. In addition to adult references and parental permissions, you may be able to access, with parent permission, school records that will show disciplinary actions taken. Alternatively, you may be able to have school counselors provide references asserting that the student either has, or does not have, any disciplinary actions in their school history. Programs that are developing a peer mentoring program within a school setting will need to work closely with school personnel to determine when and how school records and student disciplinary history may be used in screening. Be sure to follow all school or district guidelines when accessing and using this information.

Most young people do not have juvenile court involvement, and of those who do, the number who have committed crimes that would represent a threat to your mentoring program is very small. Indications of behavioral problems in young people's history are likely to surface through reference checks and school records. However, because criminal records cannot be checked, it is vital that peer mentoring programs keep unsupervised time between mentor and mentee to an absolute minimum, at least until the match is solidly built and you have personal experience in the level of skills, abilities, and trustworthiness of your mentors.

Step 5. Interpreting Results

As mentioned at the beginning of this chapter, your program should have established criteria for making decisions based on the screening information you gather. Since criminal history will rarely be a factor, such things as references and interview answers become more important. In some ways, peer screening becomes less about risk management and more about whether the applicant meets basic criteria for the work the program does and if the applicant is likely to achieve the desired project outcomes. Even then, many peer programs choose to have at-risk youth serving as both mentees and as mentors. Thus, your program's qualifying criteria may be more lenient. Youth don't need to be straight A students to serve as good mentors.

A word about grades: Academic performance may be an indicator of motivation, self-esteem, problem solving, or other characteristics, but grades alone should not be a significant factor in screening peer mentors unless they are so low that the student may not be eligible to participate due to not being in good academic standing with the school. Also, high-achieving students may be too busy with other activities to give your mentoring roles the attention they deserve.

Step 6. Additional Screening Mechanisms

The vast majority of these will not apply to site- or school-based peer programs or to youth volunteers. A driving record check may be done on older youth, especially if programs allow transportation of mentees or off-site meetings.

Step 7. Pre-Match Training and Moving Toward the Match

Pre-match training for youth will differ from training for adults in a number of key ways, but the essential purposes are similar. In addition to providing mentors with information and skills, this will be your chance to see youth in action, and to make a final determination about their ability to carry out the role of a peer mentor successfully.

As with adults, youth mentor training should include the following:

- An indepth orientation to the program that includes goals, objectives, timelines

- Key staff and their roles in the program

- A clear explanation of their job as peer mentors

- Program expectations, rules, policies, and procedures

- Learning about the mentees—who they are and what they need

- How the matches will be made

- Ongoing training activities

Topics that will need some special consideration for youth mentors include:

- Basics of being a positive role model

- Developing listening skills

- Developing decisionmaking and problem-solving skills

- Using positive discipline and rewards to encourage behavior change

- Understanding peer pressure

- Dealing with difficult or crisis situations

- Confidentiality! This topic is particularly important and may require considerable attention during training. Training should cover understanding what confidentiality means, when it applies, consequences for not keeping confidentiality. Training should also cover when and when not to keep a mentee's information private, with special attention given to reporting abuse, suicide prevention information, and threats of violence against someone else.

Not all of these concepts need to be fully covered in the first training session, but they should be woven into ongoing training when the program is established.

Youth training should be highly interactive and allow opportunities for the group to get to know one another, practice skills learned, and work directly with the adult who will be providing ongoing supervision once they are matched. This will allow staff to observe how students work in groups and in teams, how well they take direction, leadership qualities, and other characteristics that will indicate their suitability for being a mentor.

There are many good guides and curricula for training youth to work with other youth in a variety of settings. Before putting together a training series, do some research to see if you can adapt already existing material for your own use.

Step 8. Match Supervision

Youth are highly motivated by relationships, and the extent to which supervisory staff can build a positive relationship with peer mentors will help them to build trust, encourage ongoing communication, and circumvent potential problems along the way. Match supervisors should establish rapport with each match and establish a regular check-in schedule with mentor, mentee, parent, and any other involved adults. The purpose of the check-in should be clear from the beginning to avoid any sense on the part of the youth that you are "spying" or do not trust them.

Peer mentoring programs face special challenges in the area of supervision. Peers can be powerful influencing agents on each other, and in the absence of supervision and guidance matches may end up engaging in some of the very behaviors that the program was intending to prevent. Programs should do their best to minimize opportunities for matches to engage in negative behaviors. By offering many opportunities for matches to develop positive social skills, increase connections to their communities, and build strong relationships with parents, teachers, and other adults, programs are likely to encourage lasting and healthy matches.

CONCLUSION

If overwhelmed by the amount of information and apparent effort that screening takes, remember that your ultimate goals are the safety of the mentees in your program and the successful outcomes that only come from having appropriate mentors. Keep in mind that it's not necessary, or even lawful, to run every background check that's been identified in this book. Each program coordinator needs to work with the appropriate legal counsel and school staff to determine the scope of screening needed based on their individual program's needs and the needs of those it serves.

Just remember to be diligent and persistent (even when the process breaks down), and tailor your process to your specific services. All your program goals start with safe, stable, suitable mentors. Do all you can to develop a process that takes these people from applicant to outstanding mentor. It's what your kids deserve.

APPENDICES

A1   Mentor Position Description

A2   Screening Policy

A3   Mentor Application (sample 1)

A4   Mentor Application (sample 2)

A5   School-Based Mentoring Program Application, Release, and Reference Form (sample 3)

A6   Consent Form (sample 1)

A7   Consent To Check References and Official Agency Records (sample 2)

A8   Authorization and Release (sample 3)

A9   Mentor Interview Format

A10   Reference Form

A11   Personal Reference Questionnaire

A12   Match Support and Supervision Policy

B   Contact Information for Records Agencies

        State Criminal History Records Repositories

        State Online Sex Offender Registries

C   Additional Reading and Resources

Appendix A1

WORKSHEET

Mentor Position Description

Consider using or adapting this worksheet to develop position descriptions for the mentor positions in your nonprofit.

Sections of the Position Description	**Explanation and Example**
<u>Purpose</u>:	This section describes the specific purpose of the position in relation to the nonprofit's mission and goals. If possible, the purpose should be stated in two sentences or fewer.
	Example: The position of *After-School Mentor* has been created to support ABC Nonprofit's educational program for middle school students. The tutoring program is one of the organization's initiatives designed to help high school students achieve academic success and prepare for high school.
<u>Job Title</u>:	What title has been assigned to the position?
	Example: After-School Mentor
<u>Location</u>:	Where will the mentor work?
	Example: The After-School Mentoring Program is conducted at the County Library on Main Street.
<u>Key Responsibilities</u>:	List the position's major duties.
	Example: The After-School Mentor:
	1. Serves as a friend, advocate, and emotional support for the mentee
	2. Works with an assigned high school student to provide assistance in one or more academic subjects
	3. Assists a student in developing a better understanding of in-class and homework assignments
	4. Coaches the student in identifying resources to complete assignments
	5. Reviews completed assignments and suggests ways to improve or supplement assignments

6. Provides positive feedback on the student's progress and encourages the student's continued focus on academic excellence

Reports to:

Indicate the title of the person to whom the mentor reports.

Example: Director of Volunteers

Length of appointment:

Note the time period in which the mentor will serve, and include restrictions, if applicable.

Example: The After-School Mentor will serve for the fall 2005 and spring 2006 semesters. The mentor is eligible to continue in the 2006–2007 school year with approval from the Director of Volunteers.

Time Commitment:

Indicate the approximate number of days or hours required per week.

Example: The After-School Mentor position requires a time commitment of two hours per week for each week that school is in session. The program is held from 3–5 p.m. each Wednesday. In addition, each mentor must attend a four-hour orientation during the week before the semester begins.

Qualifications:

List education, experience, knowledge, and skills required.

Example: Eligible candidates for After-School Mentor position include adults over 21 years of age who have earned a bachelor's degree.

Support Provided:

List resources that will be available to the mentor.

Example: Training for this position will be provided at the four-hour orientation session. In addition, the Director of Volunteers is available on an ongoing basis to answer questions and provide other assistance as needed.

Additional Categories

Other categories that an organization would include, if applicable, in a mentor job description are: appointed by, development opportunities, relationships, age requirement, and benefits provided (for example, lunch, T-shirt, or opportunity to help a young person achieve academic success).

Appendix A2

SAMPLE
Screening Policy

Board Approval Date: _____

Revision Date: _____

It is the policy of the [Name of Program] that each mentor and mentee applicant complete a screening procedure. All staff members must be trained and required to carefully follow the screening procedures.

At minimum, the following screening procedures are required for mentor and mentee applicants. Program staff must ensure that each applicant completes these established minimum screening procedures:

Mentor Screening Procedures

- Attend mentor orientation.
- Complete written application.
- Complete personal interview.
- Check three references.
- Check driving record and gain copy of current insurance coverage.
- Check criminal history: state criminal history, child abuse registry, sexual offender registry. Same checks must be performed in all states resided in as an adult.
- Attend pre-match training session.

The decision to accept an applicant into the program will be based upon a final assessment done by program staff at the completion of the mentor or mentee screening procedure. The program coordinator has final approval for an applicant's acceptance into the program. No reason will be provided to mentor applicants rejected from participation in the program prior to the criminal history records check. The staff will follow the Federal Credit Records Act and provide any disqualifying negative report and its source to the applicant. All checks done by third party vendors fall under the FCRA and must follow its dictates, as well as any state regulations.

All mentors are expected to meet the eligibility criteria. However, extenuating circumstances may be reviewed at the discretion of the program coordinator and acceptance may then be allowed with written approval of the executive director and representative of the board of directors when all eligibility requirements are not clearly met. These instances are expected to be rare.

Documentation of the screening process must be maintained for each applicant and placed in confidential files.

Reprinted with permission from *Generic Mentoring Program Policy and Procedure Manual*, National Mentoring Center, 2004. Online at: www/nwrel.org/mentoring/publications.html

Appendix A3

SAMPLE #1
Mentor Application
(To be reviewed by your legal counsel)

Date _____ Social Security no. ____–___–____ Date of birth_____

Full name (print) _____

Home address _____

City _____ State _____ Zip _____

Home phone _____ Work phone _____

Driver's license number/state _____ / _____

Employer _____

Length of employment _____

Supervisor's name/phone no. _____/(____) _____

Would you like us to keep your employer abreast of your volunteer service and achievement?
Yes ☐ No ☐

Mentor Background Questionnaire

Why do you want to be a mentor?_____

Can you meet with a child [indicate program requirements]? ☐ Yes ☐ No

Please describe all previous mentoring experience you've had, including length of time and age of child _____

_____

What time(s) work best for your schedule? ☐ Over lunch ☐ After school ☐ After 5 p.m.
☐ Weekends ☐ During business hours

Special training, skills, hobbies _____

Please rate the age child you prefer working with:

   1 = I prefer working with this age group
   2 = I feel pretty comfortable working with this age group
   3 = I feel uncomfortable with this age group

☐ Pre-K–1st   ☐ 2nd–4th   ☐ 5th–6th   ☐ 7th–8th   ☐ 9th–12th   ☐ Disabled

I am willing to work with a child with disabilities. ☐ Yes   ☐ No

Please tell us about any additional background experience, skills, interests, or languages spoken that you have that might enhance your ability to work with a particular child (youth, teen).

_____

_____

References

Please list three people who have known you well for more than a year and can attest to your character, skill, and dependability. Include your current or last employer.

	Name/Organization	City/State/Zip	Phone	Relationship to You

1. _____

2. _____

3. _____

Please read carefully before signing:

Our mentoring program appreciates your interest in becoming a mentor to a child (youth, teen). By signing below, you attest to the truthfulness of all information given on this application. You also agree to let our program confirm all information you provided and to conduct a federal and state criminal records check.

I have read and understand the program's rules, regulations, and responsibilities for becoming a mentor. If selected, I will follow the policies and procedures of the program and be a dedicated, trustworthy mentor. I agree to the time commitment of _____ hours/month and _____ months.

Signature _____   Date _____

Appendix A4

SAMPLE #2
Mentor Application
(To be reviewed by your legal counsel)

Date _____

Name _____ Social Security no. _____–____–_____

Home address _____

City _____ State _____ Zip _____

Home phone _____ Work phone _____

Driver's license no._____ City _____ State ____

Employer _____ Title _____

Length of employment _____ Supervisor's name _____

Have you ever been convicted of a crime? _____ If yes, please explain _____

_____

Do you object to our agency running a background check on you? _____

Mentoring Information

Why do you want to be a mentor? _____

Can you meet with a child as often as our program requires? _____

Do you have any previous experience volunteering or working with youth? _____

What times can you meet with your mentee? During lunch? _____ After school? _____
After 5 p.m.? _____ Weekends? _____ During regular business hours? _____

List any hobbies or special skills you have. _____

Would you prefer to be matched with a child from a specific grade level, ethnicity, or gender?
If "Yes," list them. Grade level? _____ Ethnicity? _____ Gender? _____

Would you be willing to work with a child who has disabilities? _____

Do you speak any other languages? If "Yes," please list them. _____

References

Please list the name, address, and phone number of three people you would like to use as character references (please list only people you have known for at least a year).

Name_____   Address _____

City_____   State _____   Zip _____

Phone(s)_____   Relationships_____

Name_____   Address _____

City_____   State _____   Zip _____

Phone(s)_____   Relationships_____

Name_____   Address _____

City_____   State _____   Zip _____

Phone(s)_____   Relationships_____

Please read carefully before signing:

Our program appreciates your interest in becoming a mentor to a child. By signing below, you attest to the truthfulness of all information listed on this application. You agree to let our program confirm all information listed and to conduct a federal and state criminal records check.

I have read and understand the program's rules, regulations, and responsibilities for becoming a mentor. If selected, I will follow the rules of the program and be a dedicated mentor. I agree to the time commitment of _____ hours/month and _____ months.

Signature _____   Date _____

Reprinted with permission from National Mentoring Center Web site. Online at:
www/nwrel.org/mentoring/ forms/application.PDF

Appendix A5

SAMPLE #3

School-Based Mentoring Program
Application, Release, and Reference Form

(To be reviewed by your legal counsel)

Name _____ Social Security no. _____–___–_____

Date of birth _____ Phone no. _____

Home address _____

I understand that as a mentor I will be required to:

■ Protect the privacy of my mentee and keep any confidential information about my mentee or other participants in the program absolutely private and never talk about it to anyone, ever.

■ Follow the school-based mentoring program rules and all local public school rules.

■ Continue to not violate the law.

■ Participate as a mentor until the end of the school year.

I understand that I will receive no payment or reimbursement and will accept no gifts as a mentor. If I don't continue to meet the program requirements I will be terminated from the school-based mentoring program.

I understand that the school district isn't operating or supervising the program, doesn't accept liability for the program content, and has no liability for paying program expenses. I agree to hold the board of education, its members, trustees, agents, officers, contractors, volunteers, and employees harmless from any and all claims, losses, injuries, costs, and expenses arising from my participation in the program, except for claims, losses, or injuries related directly to the condition of the school building where sessions are held.

Signature_____ Date _____

References (minimum of three personal and professional references)

Name _____ Personal?_____ Professional? _____
Address _____
Daytime phone_____ Evening phone_____

Name _____ Personal?_____ Professional? _____
Address _____
Daytime phone_____ Evening phone_____

Name _____ Personal?_____ Professional? _____
Address _____
Daytime phone_____ Evening phone_____

Appendix A6

SAMPLE #1

Consent Form

(To be reviewed by your legal counsel)

I, _____ [applicant's name], hereby authorize [name of agency/ organization] to obtain information pertaining to any charges and/or convictions I may have had for violation of municipal, county, state, or federal laws. This information will include, but not be limited to, allegations regarding and convictions for crimes committed upon minors and will be gathered from any law enforcement agency of this state or any state or federal government, or from third-party providers of information originally obtained from law enforcement or court records.

I understand that I will be given an opportunity to challenge the accuracy of any information received that appears to implicate me in criminal activities. To facilitate this challenge, I will be told the nature of the information and the agency from which it was obtained. It will be my responsibility to contact that agency. I further understand that until the [name of agency/ organization] program receives notification from that agency clearing me, my application will be deferred.

As an applicant for a [name of agency/organization] volunteer mentor position, I hereby attest to the truthfulness of the representations I have made. Except as I have disclosed, I have not been found guilty of, or entered a plea of *nolo contendre* or guilty to any offense similar to those listed on the application. Further, other than for the offenses I have disclosed, I have not had a finding of delinquency or entered a plea of *nolo contendre* or guilty to a petition of delinquency under the juvenile laws of this state or of any other state for any acts similar in nature to those listed on the application.

I further attest that I have not been judicially determined to have committed abuse or neglect of a child; nor do I have a confirmed report of child abuse or neglect or exploitation that has been uncontested or upheld administratively under the laws of this or any other state.

I understand that I must be truthful and, if any statement I have made is found to be false, I will be denied [name of agency/organization] volunteer mentor position or, if already accepted, terminated from my [name of agency/organization] position.

_____ (Signature of the Applicant) _____(Date)

Full name of the applicant _____

D.O.B. _____ Sex _____ Race _____

Soc. Sec. no. _____–____–_____

Driver's license no. _____ State of issuance _____ Date of expiration_____

Appendix A7

SAMPLE #2

Consent To Check References and Official Agency Records

(To be reviewed by your legal counsel)

I hereby consent to permit [name of mentoring program] to contact anyone it deems appropriate to investigate or verify any information provided by me to discuss my suitability for employment or volunteer service, including my background, past performance, education, or related matters.

I also consent to permit [name of mentoring program] to obtain information pertaining to any charges and/or convictions I may have had for federal and state criminal law violations. I understand that this information will be gathered from any law enforcement agency of this state or any state or federal government, to the extent permitted by state and federal law.

I expressly give my consent to any discussions regarding the foregoing and I voluntarily and knowingly waive all rights to bring an action for defamation, invasion of privacy, or similar causes of action, against anyone providing or seeking such information.

_____   _____
Signature of Applicant   Date

Reprinted with permission from the *Staff Screening Toolkit* (3rd Ed.), Nonprofit Risk Management Center, Washington, D.C., http://www.nonprofitrisk.org

Appendix A8

SAMPLE #3

Authorization and Release

(To be reviewed by your legal counsel)

I *(name)* _____
born at *(city)* _____ *(state)*_____ *(country)* _____
on *(date)*_____ have applied as a volunteer mentor for (name of organization)_____ and consent to have any background check made as to my appropriateness for the position. I understand that I shall have no right to examine any references obtained or information gathered pursuant to my application.

I authorize and request every person, firm, company, corporation, governmental agency, law enforcement agency, court, association, or institution having any control of any documents, records, or other information pertaining to me, to furnish the program any such information including documents, records, charges, or complaints filed against me, including complaints erased by law, whether formal or informal, pending or closed, or any other data pertinent to my fitness to work directly with children; and to permit the program or any of its agents or representatives to inspect and make copies of such documents, records, or other information (except in relation to juvenile offense).

I hereby absolve the program, its agents and representatives, and any person providing information from any and all liability arising from furnishing or inspecting the above named sources, or the investigation made by the program.

Signature of applicant _____ Date _____

Appendix A9

SAMPLE
Mentor Interview Format

Some suggested interview questions for exploring mentors' experiences with children and their motivation for mentoring are:

Why do you want to be a mentor?

How often could you meet with your mentee?

What would an ideal mentor-mentee relationship include?

What experience have you had volunteering or working with youth? What ages were the mentees?

Are you currently involved with young people? If so, how?

What are some of the challenges young people are facing today?

What do you think the most important aspect of the mentoring relationship would be?

What kind of child do you want to work with (race, gender, interests, etc.)? Why does that particular type of child interest you more than others?

What is the most important advice you could share with a mentee?

What would you expect of your mentee?

What would you hope to accomplish in your mentoring relationship?

How did you learn about the mentoring program?

The interview can be an excellent time to inform candidates about how and when you will notify them about their selection status and to clarify the mentor's time commitment.

Review your impressions after the interviews. Take note of the following:

- ■ The applicant's readiness for mentoring

- ■ The applicant's strengths and weaknesses

- ■ The applicant's understanding of children's needs

- ■ Potential matches with selected mentees

Adapted with permission from Staff Screening Toolkit *(3rd Ed.), p. 71, Nonprofit Risk Management Center*

Appendix A10

SAMPLE

Reference Form

Part A
(To be completed by the subject of this reference)

Employment reference for _____

I have stated to [name of mentoring program] that I was employed by you as a [position title]. I request that the following information be furnished by you for reference purposes to this employer, and I consent to your providing this information regarding my past employment, work performance, attendance record, abilities, and reason for my separation from employment. Further, I knowingly waive all rights to bring an action for defamation, invasion of privacy, or similar causes of action, against either [name of mentoring program] or you or [name of previous employer] in connection with providing information about my employment with [name of previous employer].

_____   _____
                Signature   Date

Part B
(To be completed by the employer providing a reference for the individual named above)

The person named above was employed as _____

From _____   To _____

According to our records, the above person left the organization for the following reason(s)

_____

_____

(check one) I ☐ would ☐ would not re-employ this individual.

Please check below the rating that most accurately describes this individual:

	Exceptional	Satisfactory	Unsatisfactory
Work Quality	☐	☐	☐
Work Quantity	☐	☐	☐
Cooperation	☐	☐	☐
Supervision (if applicable)	☐	☐	☐
Attendance	☐	☐	☐

Other remarks about the employee's job performance:

_____

_____

_____

Were you the employee's supervisor?　☐ Yes　☐ No

Name　_____

Title　_____

Company　_____

Signature_____　Date_____

Appendix A11

SAMPLE

Personal Reference Questionnaire

Applicant Name _____ Date_____

Interviewed by_____

Personal Reference Name _____

Personal Reference Phone Number _____

Your name has been given to us as a reference for _____
(mentor), who has applied to be a mentor in our program. I would like to ask you some
questions about him/her, which will be held in absolute confidence; it will not be shared or
accessible to him/her. Would you be willing and is this a good time for you to answer a
number of questions?

1. How long, and in what capacity, have you known the applicant?

2. How does the applicant relate to people in general?

3. How would you describe the applicant?

4. Do you feel that the applicant would be a good mentor and role model to a child?

5. Do you think that the applicant relates well to children and young people?

6. Does the applicant usually keep his/her commitments?

7. Is he/she on time for appointments and events?

8. To your knowledge, has the applicant ever been convicted of a crime?

9. Do you know of any problems or issues that would affect the applicant's ability to
   work with a child?

10. Would you feel comfortable allowing the applicant to spend time alone with your
    child?

11. Do you have any additional comments about the applicant?

Interviewer Comments:

Appendix A12

SAMPLE

Match Support and Supervision Policy

Board Approval Date _____

Revision Date _____

It is the policy of the [name of program] that mentoring staff will make monthly phone or personal contact with all parties to each match including the mentor, mentee, and parent/guardian. Staff must gather information for that month including the dates and times spent participating in mentoring activities and a description of those activities, and assess the success of the match from all party's perspectives. In the case of match difficulties, discord, or concerns, appropriate discussion and intervention must be undertaken to improve or rectify problem areas.

Mentoring program staff must follow the steps outlined in the Match Support and Supervision Procedure. Beyond monitoring the match relationship and activities, program staff must undertake other efforts that support participants such as regular group activities for matches, a formal support structure for mentors, and the attainment of admission to community events/activities for match participants.

Adapted with permission from *Generic Mentoring Program Policy and Procedure Manual*, National Mentoring Center, 2004. Online at: http://www.nwrel.org/mentoring/publications.html

Appendix B
Contact Information for Records Agencies

State Criminal History Records Repositories

Alabama
Department of Public Safety
2720 A.W. Gunter Park Dr.
Montgomery, AL 36102
P: 334–395-4322
F: 334-395-4350
http://www.dhr.state.al.us/

Alaska
Department of Public Safety
P.O. Box 111200
Juneau, AK 99811-1200
P: 907-465-4336
F: 907-586-2762

American Samoa
Office of the Commissioner
Department of Public Safety
P.O. Box 1086
(Central Police Station, Fagatogo, American Samoa)
Pago Pago, AS 96799
P: 9-011-684-633-2827
F: 9-011-684-633-5111

Arizona
Arizona Department of Public Safety
P.O. Box 6638
(2120 W. Encanto Blvd.)
Phoenix, AZ 85005–6638
P: 602-223-2400
F: 602-223-2933
http://www.dps.state.az.us/reports/criminalhistory/
default.asp

Arkansas
Arkansas Crime Information Center
One Capitol Mall, 4D-200
Little Rock, AR 72201
P: 501-682-2222
F: 501-682-7444
http://www.asp.state.ar.us/

California
California Department of Justice
Criminal Justice Information Services Division
4949 Broadway, Room J-232
Sacramento, CA 95820
P: 916-227-3044
F: 916-227-3079
http://caag.state.ca.us/fingerprints/index.htm

Colorado
Crime Information Center
Department of Public Safety
Colorado Bureau of Investigation
690 Kipling St., Room 3000
Denver, CO 80215
P: 303-239-4224
F: 303-233-8336
https://www.cbirecordscheck.com/Index.asp

Connecticut
Bureau of Identification
Department of Public Safety
1111 Country Club Rd.
Middletown, CT 06457
P: 860-685-8322
F: 860-685-8361
http://www.state.ct.us/dps/

Delaware
State Bureau of Identification
Delaware State Police
P.O. Box 430
(1407 N. DuPont Hwy.)
Dover, DE 19903
P: 302-739-5872
F: 302-739-5888
http://www.state.de.us/dsp/sbi.htm

District of Columbia
Records Department
Metropolitan Police Department
300 Indiana Ave., N.W.
Room 5054
Washington, DC 20001
P: 202-727-5516
F: 202-727-3896
http://mpdc.dc.gov/

Florida
Criminal Justice Information Systems
Florida Department of Law Enforcement
P.O. Box 148
(2331 Phillips Rd., 32302)
Tallahassee, FL 32302-1489
P: 850-410-7100
F: 850-410-7125
http://www.fdle.state.fl.us/BackgroundChecks/

Georgia
Georgia Crime Information Center
Georgia Bureau of Investigation
P.O. Box 370748
Decatur, GA 30037-0748
P: 404-244-2601
F: 404-244-2706
http://www.state.ga.us/gbi/crimhist.html

Guam
Superior Court of Guam
Guam Judicial Center
120 W. O'Brien Dr.
Hagatna, GU 96910
P: 671-475-3270

Hawaii
Criminal Justice Data Center
Department of the Attorney General
Kekuanao'a Building, Room 101
465 S. King St.
Honolulu, HI 96813
P: 808-587-3110
F: 808-587-3109
http://www.state.hi.us/hcjdc/main/criminal_history/

Idaho
Bureau of Criminal Identification
Idaho State Police
P.O. Box 700
(700 S. Stratford Dr., 83642)
Meridian, ID 83680
P: 208-884-7132
F: 208-884-7193
http://www.isp.state.id.us/identification/crime_history/
index.html

Illinois
Division of Administration
Illinois State Police
P.O. Box 19461
(125 E. Monroe, Room 401)
Springfield, IL 62794-9461
P: 217-785-2035
F: 217-524-5794
http://www.isp.state.il.us/crimhistory/
crimhistoryhome.cfm

Indiana
Indiana State Police
Records Division
Indiana Government Center
Third Floor
100 N. Senate Ave.
Indianapolis, IN 46204
P: 317-232-8265
F: 317-232-0652
http://www.in.gov/ai/-ppfiles/isp-lch/

Iowa
Division of Criminal Investigation
Iowa Department of Public Safety
Wallace State Office Building
Des Moines, IA 50319
P: 515-281-5138
F: 515-242-6297
http://www.dps.state.ia.us/DCI/index.shtml

Kansas
Kansas Bureau of Investigation
1620 SW Tyler St.
Topeka, KS, 66612-1837
P: 785-296-8200
F: 785-296-6781
http://www.accesskansas.org/kbi/criminalhistory/

Kentucky
Kentucky State Police
Records Section
1250 Louisville Rd.
Frankfort, KY 40601
P: 502-227-8724
F: 502-227-8734
http://www.kentuckystatepolice.org/

Louisiana
Bureau of Criminal Investigation
Office of State Police
P.O. Box 66614
(265 S. Foster)
Baton Rouge, LA 70896
P: 225-925-6095
F: 225-925-7005
http://www.lsp.org/who_support.html#criminal

Maine
State Bureau of Identification
Maine State Police
36 Hospital St.
Augusta, ME 04333
P: 207-624-7009
F: 207-624-7088
http://www10.informe.org/PCR/

Maryland
Criminal Justice Information System
Central Repository
Maryland Department of Public Safety
and Correctional Services
P.O. Box 32708
Pikesville, MD 21282-2708
P: 410-764-4501
F: 410-653-4466
Toll free: 1-800-795-0011
http://www.dpscs.state.md.us/publicservs/bgchecks.shtml

Massachusetts
Massachusetts Criminal History Systems Board
200 Arlington St., Suite 2200
Chelsea, MA 02150
P: 617-660-4600
F: 617-660-4613
http://www.mass.gov

Michigan
Criminal Justice Information Center
Michigan Department of
State Police
General Office Building
7150 Harris Dr.
Lansing, MI 48913
P: 517-322-5511
F: 517-322-0635
http://www.michigan.gov/msp/

Minnesota
Bureau of Criminal Apprehension
Department of Public Safety
1246 University Ave.
St. Paul, MN 55104
P: 651-642-0687
F: 651-642-2124
http://www.dps.state.mn.us/bca/

Mississippi
Department of Public Safety
Criminal Information Center
3891 Hwy. 468 W.
Pearl, MS 39208
P: 601-933-2600
F: 601-933-2676

Missouri
Criminal Records and Identification Division
Missouri State Highway Patrol
1510 E. Elm
Jefferson City, MO 65102
P: 573-751-3313
F: 573-751-9382
http://www.mshp.dps.missouri.gov/MSHPWeb/
PatrolDivisions/CRID/CrimRecChk.html

Montana
Montana Department of Justice
Justice Information Services Divisionh
Scott Hart Building, Room 564
P.O. Box 201403
(303 N. Roberts)
Helena, MT 59620-1403
P: 406-444-3625
F: 406-444-0689
http://doj.state.mt.us/enforcement/
backgroundchecks.asp

Nebraska
Investigative Services Division
Nebraska State Patrol
P.O. Box 94907
(1600 Nebraska Hwy. 2, 68502)
Lincoln, NE 68509
P: 402-479-4099
F: 402-479-4022
http://www.nsp.state.ne.us/findfile.asp?id2=174

Nevada
Records and Identification Services
Nevada Highway Patrol
808 W. Nye Lane
Carson City, NV 89703
P: 775-687-1600, ext. 268
F: 775-687-1843
http://nvrepository.state.nv.us/

New Hampshire
New Hampshire State Police
Support Services Bureau
10 Hazen Dr.
Concord, NH 03305
P: 603-271-3793
F: 603-271-6214
http://www.state.nh.us/safety/nhsp/
cr.html#criminal

New Jersey
Records and Identification Section
New Jersey State Police
P.O. Box 7068
West Trenton, NJ 08628-0068
P: 609-882-2000, ext. 2765
F: 609-530-4856
http://www.njsp.org/about/serv_chrc.html#icbc

New Mexico
Department of Public Safety
Technical and Emergency Support Division
P.O. Box 1628
(4491 Cerrillos Rd.)
Santa Fe, NM 87504-1628
P: 505-827-9185
F: 505-827-3434
http://www.dps.nm.org/faq/record_request.htm

New York
New York State Division of Criminal Justice Services
Office of Operations and Systems
Stuyvesant Plaza
Executive Park Tower
4 Tower Pl.
Albany, NY 12203
P: 518-457-6050
F: 518-457-3089
http://criminaljustice.state.ny.us/crimnet/mail.htm

North Carolina
Identification Section
North Carolina Bureau of Investigation
P.O. Box 29500
(407 N. Blount St.)
Raleigh, NC 27626
P: 919-662-4500
F: 919-662-4380

North Dakota
Information Services Division
Bureau of Criminal Investigation
Office of the Attorney General
(4205 State St., 58502)
P.O. Box 1054
Bismarck, ND 58502-1054
P: 701-328-5500
F: 701-328-5510
http://www.ag.state.nd.us/BCI/CHR/CHR.html

Ohio
Identification Division
Ohio Bureau of Criminal Identification & Investigation
P.O. Box 365
(1580 State Rte. 56, S.W.)
London, OH 43140
P: 740-845-2204
F: 740-845-2024
http://www.webcheck.ag.state.oh.us/

Oklahoma
Bureau of Investigation
Information Services Division
6600 N. Harvey Pl., Ste. 300
Oklahoma City, OK 73116-7912
P: 405-879-2535
F: 405-843-3804
http://www.osbi.state.ok.us/publicservices/
criminalhistory.html

Oregon
Forensic Services
Identification Services Section
Oregon State Police
3772 Portland Rd., N.E.
Salem, OR 97303
P: 503-378-3070
F: 503-378-2121
http://egov.oregon.gov/osp/cid/records_request.shtml

Pennsylvania
Bureau of Records and
Information Services
Pennsylvania State Police
1800 Elmerton Ave.
Harrisburg, PA 17110
P: 717-783-5588
F: 717-772-3681
http://www.psp.state.pa.us/patch/site/default.asp

Puerto Rico
Criminal Justice Information Systems
Puerto Rico Department of Justice
P.O. Box 192
(601 Olimpo St., Miramar, Puerto Rico)
San Juan, PR 00902
P: 787-729-2121
F: 787-729-2261

Rhode Island
Department of the Attorney General
Bureau of Criminal Identification
150 S. Main St.
Providence, RI 02903
P: 401-274-4400
F: 401-222-2929
http://www.riag.state.ri.us

South Carolina
South Carolina Law Enforcement Division
P.O. Box 21398
(4400 Broad River Rd., 29210)
Columbia, SC 29221-1398
P: 803-896-7142
F: 803-896-7022
http://www.sled.state.sc.us/default.htm

South Dakota
Office of the Attorney General
Division of Criminal Investigation
Identification Section
500 E. Capitol Ave.
Pierre, SD 57501
P: 605-773-4614
F: 605-773-4629
http://dci.sd.gov/administration/id/cch.htm

Tennessee
Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216
P: 615-744-4000
F: 615-744-4656
http://www.tbi.state.tn.us/divisions/isd_riu_taps.htm

Texas
Crime Records Service
Texas Department of Public Safety
P.O. Box 4143
(5805 N. Lamar Blvd., 78752)
Austin, TX 78765-4143
P: 512-424-2077
F: 512-424-5911
http://www.txdps.state.tx.us/administration/
index.htm#crs

Vermont
Crime Information Center
Department of Public Safety
103 S. Main St.
Waterbury, VT 05671-2101
P: 802-241-5220
F: 802-241-5552
http://www.dps.state.vt.us/cjs/recordcheck.html

Virgin Islands
Records Management Officer
Records Bureau
Virgin Islands Police Department
Criminal Justice Complex
Charlotte Amalie, St. Thomas, VI 00802
P: 340-774-2211, ext. 4121
F: 340-774–5592

Virginia
Bureau of Administration and Support Services
Virginia State Police
P.O. Box 27472
Richmond, VA 23261-7472
P: 804-674-2217
F: 804-674-2234
http://www.vsp.state.va.us/cjis_chrc.htm

Washington
Criminal Records Division
Washington State Patrol
321 Cleveland, Suite A
Tumwater, WA 98501
P: 360-705-5100
F: 360-705-5274
http://www.wsp.wa.gov/crime/crimhist.htm

West Virginia
West Virginia State Police
725 Jefferson Road
South Charleston, WV 25309
P: 304-746-2111
F: 304-746-2246
http://www.wvstatepolice.com/

Wisconsin
Crime Information Bureau
Wisconsin Department of Justice
123 W. Washington Ave.
Madison, WI 53702
P: 608-266-7399
F: 608-267-1338
http://www.doj.state.wi.us/dles/cib/

Wyoming
Division of Criminal Investigation
316 W. 22nd St.
Cheyenne, WY 82002
P: 307-777-7181
F: 307-777-7252
http://attorneygeneral.state.wy.us/dci/chc.html

The Web addresses in this section are current as of September 1, 2006.

State Online Sex Offender Registries

Alabama
http://community.dps.state.al.us

Alaska
http://www.dps.state.ak.us/nSorcr/asp/

American Samoa
No online sex offender registry/information.

Arizona
http://az.gov/webapp/offender/main.do

Arkansas
http://www.acic.org/Registration/index.htm

California
http://meganslaw.ca.gov/disclaimer.htm

Colorado
http://sor.state.co.us/sxoregistration.asp

Connecticut
http://www.state.ct.us/dps/

Delaware
http://www.state.de.us/dsp/sexoff/index.htm

District of Columbia
http://mpdc.dc.gov/mpdc/

Florida
http://offender.fdle.state.fl.us/offender/homepage.do

Georgia
http://services.georgia.gov/gbi/gbisor/disclaim.html

Guam
http://www.guamjustice.net/sor/index.html

Hawaii
http://sexoffenders.ehawaii.gov/index.html

Idaho
http://isp.state.id.us/identification/sex_offender/index.html

Illinois
http://www.isp.state.il.us/sor

Indiana
http://www.insor.org/insasoweb/

Iowa
http://www.iowasexoffender.com/

Kansas
http://www.accesskansas.org/kbi/ro.shtml

Kentucky
http://kspsor.state.ky.us/

Louisiana
http://lasocpr1.lsp.org/

Maine
http:/sor.informe.org/sor/

Maryland
http://www.dpscs.state.md.us/onlineservs/sor/

Massachusetts
http://www.mass.gov

Michigan
http://www.mipsor.state.mi.us/

Minnesota
http://www.dps.state.mn.us/bca/Invest/Documents/Page-07.html

Mississippi
http://www.sor.mdps.state.ms.us/sorpublic/hpsor_search.aspx

Missouri
http://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html

Montana
http://doj.mt.gov/svor/

Nebraska
http://www.nsp.state.ne.us/sor/

Nevada
http://www.nvrepository.state.nv.us/SexOffender.htm

New Hampshire
http://www.egov.nh.gov/nsor

New Jersey
http://www.njsp.org/info/reg_sexoffend.html

New Mexico
http://www.nmsexoffender.dps.state.nm.us/servlet/hit_serv.class

New York
http://www.criminaljustice.state.ny.us/nsor/

North Carolina
http://ncregistry.ncsbi.gov

North Dakota
http://www.ndsexoffender.com/

Northern Mariana Islands
No online sex offender registry/information.

Ohio
http://www.esorn.ag.state.oh.us

Oklahoma
docapp8.doc.state.ok.us/servlet/page?_pageid=190&_
dad=portal30&_schema=PORTAL30

Oregon
http://www.oregon.gov/OSP/SOR/index.shtml

Pennsylvania
http://www.pameganslaw.state.pa.us/

Puerto Rico
No online sex offender registry/information.

Rhode Island
No online sex offender registry/information. Contact
local law enforcement agency to obtain this
information.

South Carolina
http://services.sled.sc.gov/sor

South Dakota
http://sor.sd.gov

Tennessee
http://www.ticic.state.tn.us/SEX_ofndr/search_short.asp

Texas
https://records.txdps.state.tx.us/
soSearch/default.cfm [***Note***: this is "https"]

Utah
http://www.udc.state.ut.us/community/sexoffenders/

Vermont
http://170.222.24.9/cjs/s_registry.htm

Virgin Islands
No online sex offender registry/information.

Virginia
http://sex-offender.vsp.virginia.gov/sor/index.htm

Washington
http://ml.waspc.org/Accept.aspx?ReturnUrl=index.aspx

West Virginia
http://www.wvstatepolice.com/sexoff/

Wisconsin
http://offender.doc.state.wi.us/public/

Wyoming
http://attorneygeneral.state.wy.us/dci/so/
so_registration.html

Information is current as of September 1, 2006. Since URLs change, check
http://www.fbi.gov/hq/cid/cac/states.htm for any updated information.

Appendix C
Additional Reading and Resources

Articles

Child Sexual Abuse Risk Exposure Matrix
http://www.mentoring.org/program_staff/tools/childabuseriskassess.pdf

Components of Mentor Screening
http://www.mentoring.org/program_staff/screening/components_of_mentor_screening.php

Increasing the Utility of the Criminal History Record: Report of the National Task Force,
(December 1995, NCJ-156922). Findings and Recommendations, including a model rap
sheet format (pp. 65–71)
http://www.ojp.usdoj.gov/bjs/pub/pdf/iuchr.pdf

Interpreting Responses, Reading a Criminal Record, Wisconsin Online Record Check System
http://www.doj.state.wi.us/dles/cib/forms/cib/reading.pdf

Patterson, John C., *Criminal History Record Checks*
http://www94311.temp.w1.com/csb/csb_crim.htm

Peterson, Lynn, *Not All Criminal Records Checks Are Created Equal*
http://www.virtualchase.com/articles/criminal_checks.html

Books

Ballasy, L.B., Fulop, M., & St. Amour, D. (2004). *Generic mentoring program policy and
procedure manual*. Portland, OR: National Mentoring Center, Northwest Regional
Educational Laboratory. Online at: http://www.nwrel.org/mentoring/policy_manual.html.

Head, G.L., & Herman, M.L. (2002). *Enlightened risk taking, A guide to strategic risk
management for nonprofits* [Book and Workbook]. Washington, DC: Nonprofit Risk
Management Center. Available through http://www.nonprofitrisk.org.

Patterson, J.C., & Oliver, B. (2002). *The season of hope: A risk management guide
for youth-serving nonprofits*. Washington, DC: Nonprofit Risk Management Center.
Available through http://www.nonprofitrisk.org.

Patterson, J.C. (2004). *Staff screening tool kit* (3rd Ed.). Washington, DC: Nonprofit Risk
Management Center. Available through http://www.nwrel.org/mentoring/policy_manual.html

White, L.T., Patterson, J.C., & Herman, L. (1998). *More than a matter of trust: Managing
the risks of mentoring*. Washington, DC: Nonprofit Risk Management Center. Available
through http://www.nwrel.org/mentoring/policy_manual.html.

Legislation

Relevant Federal Statutes:

Age Discrimination in Employment Act of 1967, 29 U.S.C § 621 *et seq.*, prohibits discrimination based upon age.

Americans with Disabilities Act, 42 U.S.C. § 2501 *et seq.*, prohibits discrimination against individuals with disabilities and requires employers to make reasonable accommodation for workers with disabilities.

Employee Polygraph Protection Act, 29 U.S.C. § 2001 *et seq.*, bans use of lie detectors in workplace unless there is ongoing investigation into economic loss, and there is reasonable suspicion that individual being tested was involved.

Fair Credit Reporting Act, 15 U.S.C. § 1681b *et seq.*, regulates access to individual's credit history.

Federal Public Accommodations Law, 42 U.S.C. § 2000a, mandates that places of public accommodation must be open to everyone without discrimination or segregation on grounds of race, color, religion, or national origin.

Health Insurance Portability and Accountability Act of 1996 (HIPAA) establishes privacy protections that apply where an employer obtains drug test or pre-employment physical information directly from a medical provider, or receives information from a medical provider regarding an employee's workplace injury.

Megan's Law 1996 [federal (HR2137)] requires the release of relevant information to protect the public from sexually violent offenders.

National Child Protection Act (1993). The purpose is to protect children, the elderly, and the disabled.

National Crime Prevention and Privacy Compact. *National crime prevention and privacy compact: Resource materials*, published by the Justice Department's Bureau of Justice Statistics. This document is available on the DOJ Web site at: www.ojp.usdoj.gov/bjs/abstract/ncppcrm.htm

Privacy Act/Freedom of Information Act, 5 U.S.C. § 552a *et seq.*, balances public's right to access governmental information against privacy rights of individuals involved.

Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003, Public Law 108-21, authorizes a criminal history background check to determine the fitness of a mentor associated with the Boys and Girls Clubs of America, MENTOR/National Mentoring Partnership, or the National Council of Youth Sports (and their local organizations). Consistent with the PROTECT Act, programs were developed to screen applicants and render fitness determinations for mentoring.

Public Law (P.L.) 92-544. The FBI's authority to conduct a criminal history record check for noncriminal justice purposes is based upon Public Law (P.L.) 92-544. Pursuant to that law, the FBI is empowered to exchange criminal history record information with officials of state and local governments for employment, licensing, which includes mentors, and other similar noncriminal justice purposes, if authorized by a state statute that has been approved by the Attorney General of the United States.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, prohibits discrimination based on race, color, religion, sex, or national origin.

Web Sites of Interest

DMV.ORG
http://www.DMV.org
Driving records guide with links to each state to access state-specific information on obtaining your own record and who can obtain someone else's driving record. Site is cluttered with "opportunities" to pay to have someone else do the search; however, read carefully and you will link to the directions/cost for the state selected.

MVR Turnaround Schedule (last updated 12/01/2003)
http://www.informationresources.com/dmv.htm

Federal Bureau of Investigation
http://www.fbi.gov

Crimes Against Children
http://www.fbi.gov/hq/cid/cac/crimesmain.htm

National Crime Information Center (NCIC)
http://www.fas.org/irp/agency/doj/fbi/is/ncic.htm
NCIC is a computerized index of criminal justice information (e.g., criminal record history information, fugitives, stolen properties, missing persons). It's available to federal, state, and local law enforcement and other criminal justice agencies and is operational 24 hours a day, 365 days a year. This FBI database isn't available to the public and doesn't include most misdemeanors.

State Sex Offender Registry Web Sites (alphabetical)
http://www.fbi.gov/hq/cid/cac/states.htm

National Sex Offender Public Registry
http://www.nsopr.gov

Information Resources
http://www.informationresources.com
A Web site with many useful articles on background checks.

KlaasKids Foundation

http://www.meganslaw.org/

Site provides a state-by-state assessment of the sexual offender information available. Some list counties that have individual registries. Each state record identifies when it was last updated, gives contact information, who should register, what information is collected, who has access to the information, and a link to the Web site.

National Center for Missing and Exploited Children

http://www.missingkids.com

"In 1984 the National Center for Missing and Exploited Children was created as the clearinghouse federally mandated by the U.S. Congress to assist families and law enforcement in cases of missing and exploited children."

Sex-Offenders/Megan's Law

http://www.missingkids.com/missingkids/servlet/PageServlet?LanguageCountry=en_US&PageId=1545

A fact sheet on each of 50 states and the District of Columbia.

Child Welfare Information Gateway

http://www.childwelfare.gov/index.cfm

■ State Statutes
   http://www.childwelfare.gov/systemwide/laws_policies/search/index.cfm

National Mentoring Center

http://www.nwrel.org/mentoring

This site offers many helpful tools and much advice about mentoring programs. Their "Publications" and "Web Resources" offer access to useful full-text resources and program management tools.

Nonprofit Risk Management Center

http://www.nonprofitrisk.org

The Nonprofit Risk Management Center in Washington, D.C., is a nonprofit serving other nonprofits through articles, books, online training, workshops, conferences, and consulting with a nonprofit's slant on managing risk.

SafetyNET

http://www.mentoring.org/safetynet/

Pilot program for mentoring organizations offering accessible, affordable, and timely FBI background checks.

Sexcriminals.com

http://www.sexcriminals.com/about

SexCriminals.com claims to be a 100 percent mentor-run organization. It provides a very useful sex offender registry that lists what each state registry does or doesn't offer, links to online offerings in the state, and to the cities and counties within the state that have their own registries.