

# HEAD START PROGRAM PERFORMANCE STANDARDS

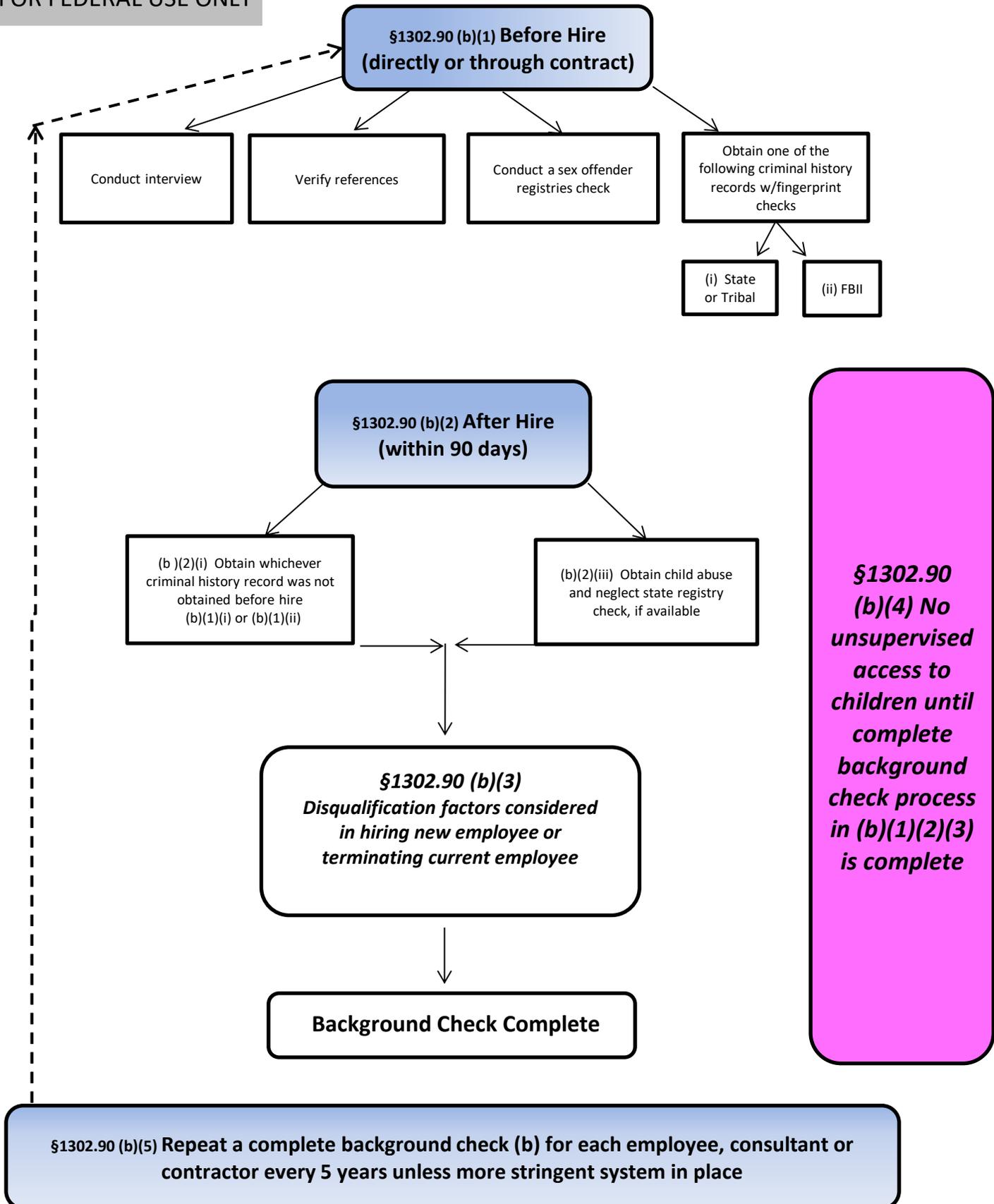
## PART 1302-PROGRAM OPERATIONS

### Subpart I-Human Resources Management

#### §1302.90 Personnel Policies

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November 2, 2016



NOTE: This chart is an excerpt of the standards. Readers are advised to refer to the complete standards.

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## PART 1302-PROGRAM OPERATIONS

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#### §1302.90 Personnel Policies

#### **Excerpt from Child Care and Development Block Grant of 2014 (P.L. 113-186): SEC. 658H. CRIMINAL BACKGROUND CHECKS.**

(c) Prohibitions.—

(1) Child Care Staff Members.—A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance under this subchapter if such individual—

- (A) refuses to consent to the criminal background check described in subsection (b);
- (B) knowingly makes a materially false statement in connection with such criminal background check;
- (C) is registered, or is required to be registered, on a State sex offender registry or repository or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or
- (D) has been convicted of a felony consisting of—
  - (i) murder, as described in section 1111 of title 18, United States Code;
  - (ii) child abuse or neglect;
  - (iii) a crime against children, including child pornography;
  - (iv) spousal abuse;
  - (v) a crime involving rape or sexual assault;
  - (vi) kidnapping;
  - (vii) arson;
  - (viii) physical assault or battery; or
  - (ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years; or
- (E) has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

(2) Child Care Providers.—A child care provider described in subsection (i)(1) shall be ineligible for assistance provided in accordance with this subchapter if the provider employs a staff member who is ineligible for employment under paragraph (1).

#### **OCC also has a a plain language write-up:**

A child care staff member cannot be employed if the individual:

- 1) Refuses a background check;
- 2) Makes materially false statements in connection with the background check;
- 3) Is registered, or is required to be registered, on the State or National Sex Offender Registry;
- 4) Has been convicted of a felony consisting of murder; child abuse or neglect; crime against children; spousal abuse; crime involving rape or sexual assault; kidnapping; arson; physical assault; or, subject to an individual review at the State's option, a drug-related