

Non-fingerprint Background Check Consent and Release

Effective October 1, 2022, all private, nonprofit institutional applicants in the Child and Adult Care Food Program (CACFP) and Summer Food Service Programs (SFSP) must undergo a criminal background check as a part of the preliminary application approval process. This policy was developed to eliminate the potential of approving institutions to participate in CACFP or SFSP who have a criminal history indicating a lack of business integrity, and to ensure all applicants are eligible to participate in the food program based on the results of a criminal background check.

This policy is implemented under the authority given to the states in its implementation of CACFP and SFSP by 7 C.F.R. §§ 225 and 226.6(b)(1)(xiv)(A) and 226.6(b)(2)(iv)(a). This policy has been reviewed and approved by the USDA Food and Nutrition Service (FNS) Southwest Regional Office, as required by 7 C.F.R. §§ 225.18(f) and 226.25(b).

A. Background Check Requirement:

- 1) Every private nonprofit CACFP and SFSP applicant (new or renewing) must consent to and pass a background check as part of the application process. This includes all institution principals.
Examples of a private nonprofit- include community action agencies, faith based nonprofit organizations, family day care home sponsors, Boys & Girls Clubs.
Examples of principals- include executive director, monitor, coordinator, site representative, program director or any individual who is responsible for administrative duties such as paperwork, financial recordkeeping, monitoring, applications and claims submission.
- 2) The background check will occur upon initial application for new applicants and for all existing applicants at the time of FY 23 renewal. Any new responsible principal/individual would also need one prior to program participation.
- 3) Criminal convictions that occurred within seven (7) years preceding the date of the background check will be considered in the application review.

B. Offenses That Will Result in Denial of the Application:

Any applicant found to have a criminal conviction in the seven (7) years preceding the date of the background check that indicate a lack of business integrity is not eligible to participate in the food programs and their application will be denied. Such convictions include, but are not limited to:

- 1) Fraud
- 2) Anti-trust violations
- 3) Embezzlement
- 4) Theft
- 5) Forgery
- 6) Bribery
- 7) Falsification or destruction of records
- 8) Making false statements
- 9) Receiving stolen property
- 10) Making false claims
- 11) Obstruction of justice

Any applicant found to have a criminal conviction in the seven (7) years preceding the date of the background check for a violent crime as defined by 57 O.S. § 571(2) is not eligible to participate in the food programs and their application will be denied. Such convictions include, but are not limited to:

- 1) Child abuse
- 2) Child pornography
- 3) Lewd or indecent proposition or acts with a child
- 4) Abuse of a vulnerable adult
- 5) Assault
- 6) Battery
- 7) Domestic abuse

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Instructions to Applicant/Participant:

Evidence of an applicant's/participant's consent to a check of non-fingerprint state criminal history records is required. With your consent, the Child Nutrition Programs (CNP) at the Oklahoma State Department of Education (OSDE), will submit your information through the Criminal History Information Request Portal (CHIRP) for checks against state registries. If you are cleared, your application will be released for review and approval. If not, CNP will inform you in writing. At that time, you may choose to remove yourself as a responsible principal/individual and you will be provided details of any appeal rights. You will be responsible for a fifteen-dollar (\$15) processing fee per individual, payable by cashiers' check or money order made out to the Oklahoma State Department of Education Office of Child Nutrition Programs. Applications will not be reviewed for approval until all responsible principals and individuals of the applying institution have completed this process. The consent and release must be submitted along with payment, color copy of government issued identification and copy of social security card.

Certification:

By signing this form, I consent to registry screening and submission of my personal information to the Oklahoma State Bureau of Investigation (OSBI) for the purpose of conducting a state criminal history check. I understand that the results will be shared with the CNP at OSDE. I understand that if my criminal history results reveal information that excludes me from participating in either CACFP or SFSP, I will be given notice and the opportunity to remove myself as a responsible primary or individual as well as details of any appeal rights that I may be entitled to at that time.

I understand that as a condition of my eligibility for this program(s), I agree to report to OSDE CNP immediately upon being arraigned, indicted, convicted, or pleading guilty or *nolo contendere* (no contest) to one or more of the crimes referenced above.

Consent and Release:

This information is confidential, is not subject to disclosure under the Oklahoma Open Records Act and shall not be disclosed to any person except for purposes of determining eligibility of this program(s).

PLEASE PRINT CLEARLY:

First Name: _____ Middle Name: _____

Maiden Name (if applicable): _____ Last Name: _____

Other names/aliases used: _____

Date of birth: _____ State and Country of Birth: _____

US Citizen: Y N Race: _____ Gender: F M Prefer not to answer

Phone Number: _____ Alt Phone Number: _____

Social Security Number: _____

Current Address: _____

Current City/State/Zip: _____

Email Address: _____

My signature acknowledges that I have read, understand, and accept the terms and conditions outlined in this form. I consent to registry screening and submission of my information to OSBI and CHIRP. I further understand that eligibility for this program may be contingent on the results of my background check.

Applicant/Participant Signature

Date