

NOTICE TO APPLICANT/VOLUNTEERS REGARDING CRIMINAL HISTORY AND REGISTRY CHECKS

The Texas Department of Aging & Disability Services has in place rules governing Criminal History checks and Employee Misconduct Registry and Nurses Aide Registry checks for all potential employees, volunteers, interns, and contract providers for residential services in community centers, state schools, state hospitals and state centers. (Texas Administrative Code, Title 25, Part II, Chapter 414, Subchapter K, effective 2-6-02, and Health & Safety Code, Chapter 250, and amendments effective 09-01-11.

The following criminal convictions constitute an absolute bar to employment with the Center:

- Criminal homicide (Penal Code, Chapter 19);
- Kidnapping and unlawful restraint (Penal Code, Chapter 20);
- Indecent Exposure (Penal Code 21.08);
- Improper Relationship between Educator and Student (Penal Code 21.12);
- Improper photography or visual recording (Penal Code 21.15);
- Indecency with a child (Penal Code, 21.22);
- Sexual Assault and Aggravated Sexual Assault (Penal Code 22.01 and 22.021);
- Aggravated Assault (Penal Code, 22.02);
- Injury to a child, elderly individual or disabled individual (Penal Code 22.04);
- Abandoning or endangering a child (Penal Code 22.041);
- Deadly Conduct (Penal Code 22.05);
- Terroristic Threat (Penal Code 22.07);
- Aiding suicide (Penal Code 22.08);
- Agreement to abduct from custody (Penal Code 25.08);
- Sale or purchase of a child (Penal Code 25.08);
- Arson (Penal Code 28.02);
- Robbery (Penal Code 29.03);
- Aggravated Robbery (Penal Code 29.03);
- Online Solicitation of a Minor (Penal Code 33.021);
- Money Laundering (Penal Code 34.02);
- Medicaid Fraud (Penal Code 35A.02);
- Obstruction or retaliation (Penal Code 36.06)
- Cruelty to Animals (including livestock animals and non-livestock animals) (Penal Code 42.09);
- False Identification as a peace Officer (Penal Code 37.12);
- Disorderly Conduct (Penal Code 42.01(a)(7), (8) or (9); and/or
- Any other conviction under the laws of another state, federal law, or under the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of an offense listed above; and
- A felony conviction for assault, theft, burglary, the misapplication of fiduciary property or property of a financial institution, and securing execution of document by deception, which occurred within the previous five (5) years.

Other convictions not listed above may be a contraindication to employment or volunteer placement with the Center and suitability for employment or volunteer placement will be determined on a case-by-case basis. In addition, anyone being considered for employment or placement in the Aging & Disability Program who has lived outside of the State of Texas during the two (2) years preceding the application for employment or volunteer placement may be required to undergo an FBI fingerprinting check.

If an applicant for employment or volunteer service is listed as “unemployable” in the Employee Misconduct Registry or as “revoked” in the Nurses Aide Registry, then the applicant or volunteer is not considered eligible for employment with the Center.

Acknowledgment Signature/Date