

CERTIFICATION

Award Condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors

Organization Name: \_\_\_\_\_

Application Number: \_\_\_\_\_

Project Title: \_\_\_\_\_

All subawards/subgrants administered by the Kentucky Justice and Public Safety Cabinet, Grants Management Division (GMD), for which the purpose of some or all of the activities to be carried out under the subaward is to benefit a set of individuals under 18 years of age, are subject the provisions of the current *Determination of suitability required, in advance, for certain individuals who may interact with participating minors* award condition (hereinafter, "award condition") established by the U.S. Department of Justice (DOJ).

This award condition was incorporated into many DOJ Office for Justice Programs (OJP) and Office on Violence Against Women (OVW) awards starting in calendar year 2019. The full award condition can be accessed on the OJP and OVW websites:

OJP <https://www.ojp.gov/funding/explore/interact-minors>

OVW <https://www.justice.gov/ovw/page/file/1432316/dl?inline>

GMD has added two (2) award condition enhancements to the baseline requirements set forth in the award condition. See GMD's full policy, *Award Condition Enhancements: Determination of Suitability required, in advance, for certain individuals who may interact with participating minors*, available on the [GMD website](#).

Select one of the following designations:

- The purpose of some or all of the activities to be carried out under the proposed project is intended to benefit a set of individuals under 18 years of age.
- The purpose of some or all of the activities to be carried out under the proposed project is **NOT** intended to benefit a set of individuals under 18 years of age.

*If the proposed project activities are NOT intended to benefit a set of individuals under 18 years of age, please indicate N/A to Questions #1-12.*

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**Award Conditions**

1. I have read the full award condition titled *Determination of suitability required, in advance, for certain individuals who may interact with participating minors*. \_\_\_\_\_
2. I have read the full GMD supplemental policy titled *Award Condition Enhancements: Determination of suitability required, in advance, for certain individuals who may interact with participating minors*. \_\_\_\_\_

**Award Condition Enhancements**

3. I understand that my organization must implement formal, written policies and procedures that (a) document the factors and considerations that will be considered in making determinations regarding suitability, (b) identify the specific public sex offender and child abuse websites/registries, criminal history registries, and similar repositories of criminal history records that will be searched when making determinations regarding suitability, (c) address “personally-accompanied contact” situations as defined in paragraph 3(c)(2) of the award condition. \_\_\_\_\_
4. I understand my organization must update the searches described in the Required Searches section and reexamine each covered individual’s suitability determination in light of those search results **every two (2) years**. When appropriate, the determination must be modified or withdrawn. \_\_\_\_\_

**Required Searches**

Public Sex Offender and Child Abuse Websites/Registries

5. I confirm that when making a determination of suitability, at a minimum, the following searches will be conducted prior to a covered individual interacting with a participating minor as defined in the award condition, no more than six (6) months before the written determination of suitability is made. \_\_\_\_\_

The Dru Sjodin National Sex Offender Public Website <a href="https://www.nsopw.gov/">https://www.nsopw.gov/</a>	<b>Required</b>
Kentucky Public Sex Offender Registry <a href="https://kspsor.state.ky.us">kspsor.state.ky.us</a>	<b>Required</b>
Kentucky CHFS Child Abuse & Neglect (CAN) Registry <a href="https://kog.chfs.ky.gov/home/">https://kog.chfs.ky.gov/home/</a>	<b>Required</b>
Public sex offender and child abuse websites/registries for each state other than Kentucky in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award	If Applicable to the Covered Individual
Public sex offender and child abuse websites/registries for each state other than Kentucky in which the individual has lived, worked, or gone to school at any time during the past five (5) years	If Applicable to the Covered Individual

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Criminal History Record Searches

6. I confirm that when making a determination of suitability, at a minimum, the following criminal history searches will be conducted, prior to a covered individual interacting with a participating minor as defined in the award condition. Criminal history record searches will encompass at least the time period beginning five (5) calendar years preceding the date of the search request.

Criminal history registry for each state in which the individual lives, works, or goes to school, or has lived, worked, or gone to school at any time during the past five (5) years	<b>Required</b>
Criminal history registry for each state in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under the award.	<b>Required</b>

7. I confirm that all criminal history searches will be fingerprint-based, if legally available to my organization.

8. I confirm that if fingerprint-based searches are not legally available to my organization, name-based criminal history searches using current and, if applicable, previous names and aliases, will be performed.

**Documentation Retention**

9. I confirm that my organization will maintain all documentation related to written determinations of suitability at the program site for the duration of the grant records retention period.

10. I confirm that all documentation related to written determinations of suitability will be made available to GMD during compliance monitoring engagements or at any other time within the grant records retention period.

**Factors and Considerations in Determinations Regarding Suitability**

11. I confirm that, with respect to either an initial determination of suitability or a subsequent reexamination, no covered individual will be determined suitable to interact with participating minors in the course of activities under the award if the individual meets any of the exclusionary criteria defined in the award condition.

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**Updates and Reexaminations**

12.I confirm that in addition to the requirement to update searches and reexamine a covered individual's suitability every two (2) years, my organization will reexamine a covered individual's suitability determination upon learning of information that reasonably may suggest unsuitability and, if appropriate, modify or withdraw that determination.

**Fingerprint Search Availability**

Select one of the following designations:

- Fingerprint-based Criminal History Record Searches are legally available to my organization.
- Fingerprint-based Criminal History Record Searches are **NOT** legally available to my organization.

\_\_\_\_\_  
**Authorized Official  
Printed Name**

\_\_\_\_\_  
**Authorized Official  
Signature**

\_\_\_\_\_  
**Date**