



## Advance Determination of Suitability for Individuals Interacting with Participating Minors

On behalf of the Agency listed below, and in support of all grants awarded by the North Carolina Governor's Crime Commission (GCC), we certify under penalty of perjury to the U.S. Department of Justice ("USDOJ"), that all of the following statements are true and correct:

1. We have the authority to make the following representations on behalf of this agency.
2. We certify that this agency will implement processes to make advance determination of suitability for all individuals who may interact with participating minors as part of the programs/activities funded (in whole or in part) with grants awarded from the GCC or included in the GCC approved budget in accordance with the information provided.
3. Advance determination regarding suitability.  
This agency will not permit any covered individual (to include employees, consultants, contractors, employees of a contractor, trainees, volunteers, and/or teachers) to interact with any participating minor in the course of activities under any award from the GCC, unless this agency first has made a written determination of the suitability of that individual to interact with participating minors, based on current and appropriate information as described in paragraph 5 below and taking into account the factors and considerations described in paragraph 6 below.
4. Updates and reexaminations
  - A. This agency will, at least every five (5) years, update the searches herein described, reexamine the covered individual's suitability determination in light of these search results, and – if appropriate – modify or withdraw said determination.
  - B. This agency will also reexamine a covered individual's suitability determination upon learning of any information that reasonably may suggest unsuitability and, if appropriate, modify or withdraw said determination.
5. "Current and appropriate information"  
In addition to information resulting from checks or screenings required by applicable federal, state, tribal, or local law, and/or by this agency's written policies and procedures, current and appropriate information shall include the results of all required searches listed below, each of which must be completed no earlier than six (6) months before the determination regarding suitability is set. We understand that the following searches are mandatory:
  - A. Public sex offender and child abuse websites/registries.  
A search (by current name, and, if applicable, by previous name(s) or aliases), of the pertinent and reasonably-accessible federal, state, and (if applicable) local and tribal sex offender and child abuse websites/public registries, including–
    - (1) the Dru Sjodin National Sex Offender Public Website ([www.nsopw.gov](http://www.nsopw.gov));

- (2) the website/public registry for each state (and/or tribe, if applicable) 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; and
  - (3) the website/public registry for each state (and/or tribe, if applicable) in which the individual is expected to, or reasonably likely to, interact with a participating minor in the course of activities under any award from the GCC.
- B. Criminal history registries and similar repositories of criminal history records.  
For each individual at least 18 years of age who is a covered individual under any award from the GCC, a fingerprint search (or, if this agency documents that a fingerprint search is not legally available, a name-based search, using current and, if applicable, previous names and aliases) – encompassing at least the time period beginning five (5) calendar years preceding the date of the search request – of pertinent state (and, if applicable, local and tribal) criminal history registries or similar repositories, including–
- (1) 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; and
  - (2) the criminal history registry for each state in which he or she is expected to, or reasonably likely to, interact with a participating minor in the course of activities under any award from the GCC.
6. Factors and considerations for determining suitability.
- A In addition to the factors and considerations that must or may be considered under applicable federal, state, tribal, or local law, and under this agency’s written policies and procedures, in making a determination regarding suitability, this agency must consider the current and appropriate information as collected within the applicable timeframes.
- B. In particular (unless applicable law precludes it), with respect to either an initial determination of suitability or a subsequent reexamination, this agency may not determine that a covered individual is suitable to interact with participating minors in the course of activities under any award from the GCC if the covered individual–
- (1) withholds consent to a criminal history search required by this condition;
  - (2) knowingly makes (or has made) a false statement that affects, or is intended to affect, any search required by this condition;
  - (3) is listed as a registered sex offender on the Dru Sjodin National Sex Offender Public Website;
  - (4) to the knowledge of this agency, has been convicted – whether as a felony or misdemeanor – under federal, state, tribal, or local law of any of the following crimes (or any substantially equivalent criminal offense, regardless of the specific words by which it may be identified in law):
    - sexual or physical abuse, neglect, or endangerment of an individual under the age of 18 at the time of the offense;
    - rape/sexual assault, including conspiracy to commit rape/sexual assault;
    - sexual exploitation, such as through child pornography or sex trafficking;
    - kidnapping;
    - voyeurism; or
  - (5) is determined by a federal, state, tribal, or local government agency not to be suitable.

Furthermore, we certify that we understand that these records may be monitored by the federal awarding agency and/or GCC at any time and we will retain copies of these records in accordance with federal record retention requirements.

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Agency

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Authorizing Official Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Financial Office Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date