

## For Applicant Signature

### **KDADS Policy 8.9 Security Clearance: Background Checks**

To safeguard the interests of customers, residents, and staff, and to minimize risk of their injury, KDADS may require any applicant, employee, student, intern, volunteer, independent contractor or contracted staffer to obtain and maintain security clearance as a condition of employment/service to the agency. Individuals may be required to submit fingerprints for use in obtaining security clearance.

KDADS reserves the right to disqualify from consideration for employment/service any individual who is denied or fails to maintain security clearance when required to do so.

Security clearance will not be granted to an individual who has been convicted of a permanently prohibited crime as detailed below.

Unless detailed below as permanently prohibited; conviction of a prohibited crime or a charge of a prohibited crime or having engaged in prohibited conduct as defined below occurring more than five years ago will not automatically result in denial of security clearance but may be considered in determining whether to grant security clearance.

#### Permanently Prohibited Crimes:

- Abuse of a Child
- Aggravated Abandonment of a Child
- Aggravated Arson
- Aggravated Battery
- Aggravated Incest
- Aggravated Robbery
- Aggravated Sodomy
- Aiding Escape
- Assisting Suicide
- Aggravated Burglary
- Electronic Solicitation
- Exposing Another to a Life Threatening Communicable Disease
- Kidnapping
- Voluntary Manslaughter
- Mistreatment of a Confined Person
- Mistreatment of a Dependent Adult
- Murder
- Illegal Use of Weapons of Mass Destruction or
- Furtherance of Terrorism
- Indecent Liberties With a Child, Ward
- Indecent Solicitation of a Child
- Promoting Prostitution
- Rape
- Sedition
- Sexual Exploitation of a Child
- Treason

#### Prohibited Crimes:

- Abandonment of a Child
- Abuse
- Altering a Legislative Document
- Arson
- Assault
- Battery
- Bigamy
- Blackmail
- Bribery
- Burglary
- Contributing to a Child's Misconduct or Deprivation
- Criminal Damage to Property
- Criminal Nonsupport
- Criminal Restraint
- Criminal Threat
- Endangering of a Child
- Forgery
- Furnishing Alcoholic Liquor/Beverage or Cereal Malt Beverage to a Minor
- Harassment
- Hazing
- Incest
- Injury to a Pregnant Woman
- Interference with Parental Custody
- Interference with the Conduct of Public Business in a Public Building
- Interference with the Custody of a Committed Person
- Intimidation of a Witness or Victim
- Involuntary Manslaughter

- Lewd and Lascivious Behavior
- Making False Writing
- Obstructing Legal Process or Official Duty
- Official Misconduct
- Patronizing a Prostitute
- Perjury
- Permitting Dangerous Animal to be at Large
- Poisoning
- Possession, Possession with the Intent to Sell
- Promoting Obscenity
- Prostitution
- Robbery
- Sale, Manufacture or Production of any Drug Listed in the Uniform Controlled Substances Act, KSA 65-4101 et. seq.
- Sexual Battery
- Sodomy
- Stalking
- Terrorism
- Theft
- Threat, Criminal or Terroristic
- Trafficking
- Unlawful Administration of a Substance
- Unlawful Disclosure of Tax Information
- Unlawful Interference
- Unlawful Sexual Relations
- Vehicular Homicide
- \*Any other crimes including attempts, conspiracies, and solicitation to commit any of the crimes listed

A conviction or other disposition of a prohibited crime (*including but not limited to entering a diversion agreement; a plea of guilty, no contest or nolo contendere; a finding of guilt on original or reduced charges by a judge or a jury; plea bargaining to lesser charges; being found not guilty by reason of insanity; or expungement of conviction*) may be considered in determining whether to grant a security clearance. Any pending charges involving a prohibited crime may also be considered.

Prohibited Conduct:

Convictions which are titled differently than those on the prohibited crimes list but which encompass *the same or substantially similar conduct* are also considered as prohibited conduct. Other types of convictions may be considered in determining whether to grant a security clearance, if the conviction bears a substantial relationship to the job duties of the position/service. KDADS may also consider as prohibited conduct any administrative findings or pending criminal charges or allegations of welfare fraud, child or adult abuse, neglect, exploitation or termination of parental rights.

I understand that the position for which I am applying requires a security clearance. I hereby authorize a state and federal records check for the prohibited crimes and conduct described above. I understand that if selected for any position requiring security clearance, the CONVICTION OF A PROHIBITED CRIME OR OTHER PROHIBITED CONDUCT may subject me to IMMEDIATE DISMISSAL. Further, I understand that, once I am employed I am required to notify my employer any time I am charged with or convicted of a prohibited crime and that my failure to do so may subject me to IMMEDIATE DISMISSAL. By my signature, I acknowledge and accept these terms as CONDITIONS OF EMPLOYMENT.

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Applicant Signature

\_\_\_\_\_  
Date

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