



DEPARTMENT FOR CHILDREN AND FAMILIES

DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING

Adult Abuse & Child Protection Online Registry Check Systems

Protocol For Out-of-State and Screening/Placement Organizations

Introduction

The State of Vermont takes its responsibility for child protection seriously. We are also cognizant of our responsibility to ensure confidentiality and maintain the security of records as sensitive as those contained in our Adult Abuse and Child Protection Registries.

As an organization, we must ensure:

- The integrity of the system;
- The security of our records; and
- Adherence to confidentiality processes.

The purpose of this protocol is to offer guidance to employers seeking information from Vermont's Child Protection and Adult Abuse Registries in addition to the requirements set forth in statute (33 V.S.A. § 4919) regarding registry access for employers:

"The commissioner may disclose a registry record to an employer if such information is used to determine whether to hire or retain a specific individual providing care, custody, treatment, transportation, or supervision of children or vulnerable adults. The employer may submit a request concerning a current employee, volunteer, grantee, or contractor or an individual to whom the employer has given a conditional offer of a contract, volunteer position, or employment."

Definitions

Employer means an organization that

- 1) Operates in the State of Vermont;
- 2) Has established service relationships in Vermont (e.g., Dartmouth Hitchcock, Casey Family Services, etc.); or
- 3) Operates on the immediate, contiguous border with Vermont.

Agent means an entity with whom an employer contracts to conduct background checks on the employer's behalf.

Registry Check means a check of the Department for Disabilities, Aging and Independent Living's Adult Abuse Registry and/or the Department for Children and Families' Child Protection Registry.



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State means the Department for Disabilities, Aging and Independent Living and/or the Department for Children and Families.

Pre-employment Screening

Vermont law allows an employer to request a registry check for the purpose of pre-employment screening *only* for an individual to whom the employer has made a conditional offer of a contract, volunteer position, or employment.

Access to Registry Checks by Out-of-State Employers

Employers who meet the definition of “employer” above may request a registry check.

Registry checks will not be conducted for out-of- state employers who do not meet this definition. However, if the out–of-state employer is considering hiring a Vermont resident or former Vermont resident, the individual may request a registry check on him/herself by applying directly to either the Adult Abuse or Child Protection Registry. Results will be mailed directly back to the individual.

Access to Registry Checks for Employers’ Agents

An employer’s agent may request a registry check on behalf of an employer only under the conditions described below. If the agent meets these conditions, the state will provide the information the law makes available to employers.

- Requests from agents must be submitted in hard copy. Hard copy forms may be obtained at: <http://www.dlp.vermont.gov/abuse-registry-request/view>
- Requests from agents will only be accepted if accompanied by a certification from the employer confirming employment or an offer of employment contingent on registry check results for the individual who is the subject of the request.
- Only requests from agents of an employer, as that term is defined above will be processed.
- The employer must maintain an onsite copy of the form verifying that registry screens have been conducted and a copy of the results of that screening. The employer is responsible to obtain that information from the agent.

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