

641—131.4(147A) Background check results.

131.4(1) Negative information on the criminal history will not necessarily preclude an individual from certification. The department will directly communicate with the individual to carefully consider the results of the background check. The following will be taken into consideration during the evaluation and analysis:

- a.* The nature and gravity of the conviction.
- b.* The length of time between the conviction and the application for certification.
- c.* Frequency and severity of the criminal activity and child or dependent adult abuse activity included in the background check results.
- d.* Mitigating factors at the time the activity occurred.
- e.* Cooperation with federal or state officials in the investigation and treatment/rehabilitation plan.
- f.* The maturity of the individual at the time of any criminal activity or child or dependent adult abuse activity.

131.4(2) The department will take reasonable steps to ensure the accuracy of the information contained in the background checks. An individual who believes the background checks contain inaccurate information will be informed of the steps the individual may wish to pursue to correct the information.

131.4(3) All criminal history records are confidential and will only be used in accordance with this policy to determine eligibility. All background check records will be stored in a secure location. Background check records shall not be redisseminated by the department.

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