



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY GARRISON VICENZA  
UNIT 31401, BOX 41  
APO AE 09630

IMEU-VIC-MWC

19 January 2010

## STANDING OPERATING PROCEDURES (SOP)

**SUBJECT:** Child, School & Youth Services (CYSS) Program Review Board (PRB)

### 1. REFERENCES:

- a. AR 608-10, Child Development Services, 15 July 1997.
- b. AR 608-18, The Army Family Advocacy Program, 14 January 2006.
- c. AR 215-3, NAF Personnel Policy, 29 August 2003.
- d. CFSC-CYS, Memorandum, 17 September 2001, Subject: U.S. Office of Personnel Management (OPM) Federal Investigations Processing Center (FIPC) Procedure to Conduct Child and Youth Services (CYS) Background Checks.

2. APPLICABILITY: This SOP applies to all CYSS programs.

### 3. PROCEDURES:

- a. The PRB meets to provide guidance and direction to CYSS staff when background checks have revealed questionable information and offenses.
- b. The PRB meets in closed sessions because of sensitivity of material discussed and its members are reminded of the confidentiality of the information discussed at the meeting.
- c. The PRB will include the following persons:
  - (1) CYSS Coordinator as the Chairperson,
  - (2) Program Director as appropriate,
  - (3) Staff Judge Advocate Representative,
  - (4) Family Advocacy Program Manager,

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(5) Human Resources Office/CPAC Representative;

and the following representatives as appropriate:

(1) Provost Marshal Representative,

(2) CID Representative,

(3) Chief Psychiatry,

(4) Chief Social Works Services,

(5) Army Substance Abuse Program Manager.

d. Other representatives may attend, if the issue presented is within their area of expertise.

e. A quorum of four is required to conduct business.

f. The CYSS Coordinator will direct the meeting and his responsibilities are to:

(1) Provide members with an initial letter requesting their participation in the panel.

(2) Establish a meeting time and place, when needed, and contact all the members.

(3) Ensure all the attendees receive the meeting agenda and the related information.

(4) Bring records, files and statements related to the cases to be discussed.

(5) Remind all members of the non-disclosure requirements before starting each meeting.

g. Members will:

(1) Provide technical and professional input to the panel in their area of expertise.

(2) Bring records, files and any other relevant documents related to the cases to be reviewed.

(3) Assess the information concerning individual cases presented for the purpose of making a recommendation to the Garrison Commander regarding the applicant/employee's level of child abuse risk when working with children (i.e. is the risk higher than normal due to the applicant/employee's background?).

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(4) Cast a vote to recommend or not recommend the suitability of the applicant or employee to work or volunteer with CYSS based on their child abuse risk factor.

(5) If desired, the members of the CYSS Program Review Board may invite the applicant or employee to attend the meeting to provide information and respond to questions.

h. The program director will present background information and a summary of each case, as applicable.

i. The panel discusses cases and makes recommendations based on information received during the meeting without discriminating by race, creed, color, or national origin.

j. The panel votes on each case. Based on a simple majority vote, the panel will make a written recommendation to the Director of Family Morale Welfare and Recreation. The CYSS Coordinator will only vote if it is necessary to break a tie.

k. Each appeal must be presented in writing to the USAG, VICENZA Commander within 15 days upon receipt of notification. The Commander must review the decision and provide a response within 30 days of the appeal.

l. The person involved may appeal the PRB decision.

4. POC for this SOP is Mr. Eric Weisel, CYS Services Coordinator, DSN 634-8347.

Encl:  
Encl 3 of Memorandum  
at reference 1.d.

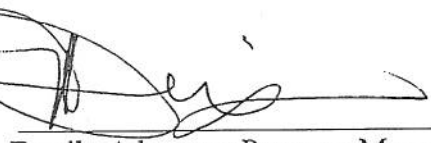
  
ERIK O. DAIGA  
COL, MI  
Commanding

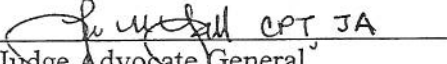
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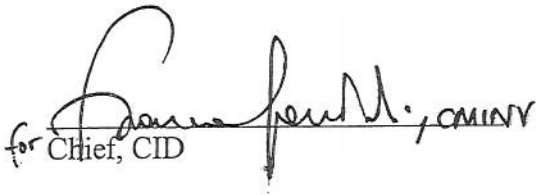
FOR CONCURRENCE:

  
Chief, Social Work Services

  
Family Advocacy Program Manager

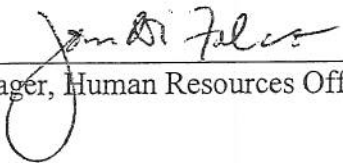
  
Judge Advocate General

  
Army Substance Abuse Program Manager  
OFFICIAL

  
for Chief, CID

OFFICE OF THE PROVOST MARSHAL  
MILITARY POLICE DESK SERGEANT  
APO AE 09630  
MILITARY POLICE

DATE: Jan 13 2011  
Provost Marshal MP

  
Manager, Human Resources Office

known facts. All information of record both favorable and unfavorable will be assessed in terms of its relevance, recentness, and seriousness. Likewise, positive mitigating factors should be considered. Final suitability decisions shall be made by the commander or designated PRB. Criteria that will result in disqualification of an applicant require careful screening of the data and include, but are not limited to, the following:

(1) **Mandatory Disqualifying Criteria.** Any conviction for a sexual offense, a drug felony, a violent crime, or a criminal offense involving a child or children will result in mandatory disqualification.

(2) **Discretionary Disqualifying Criteria.** Derogatory information which should be considered on a discretionary basis includes:

(a) Acts that may tend to indicate poor judgment, unreliability, or untrustworthiness in working with children.

(b) Any behavior, illness, or mental, physical, or emotional condition that in the opinion of a competent medical authority may cause a defect in judgment or reliability.

(c) Offenses involving assault, battery, or other abuse of a victim regardless of age of the victim.

(d) Evidence or documentation of substance abuse dependency.

(e) Illegal or improper use, possession, or addiction to any controlled or psychoactive substances, narcotic, cannabis, or other dangerous drug.

(f) Sexual acts, conduct or behavior that, because of the circumstances in which they occur, may indicate untrustworthiness, unreliability, lack of judgment, or irresponsibility in working with children.

(g) A wide range of offenses such as arson, homicide, robbery, fraud, or any offense involving possession or use of a firearm.

(h) Evidence that the individual is a fugitive from justice.

(i) Evidence that the individual is an illegal alien who is not entitled to accept gainful employment for a position.

(j). A finding of negligence in a mishap causing death or serious injury to a child or dependent person entrusted to their care.

**Determination Of Child And Youth Services (CYS) Employment Suitability When Derogatory Information Is Identified During a Background Check Investigation**

1. Derogatory information includes, but is not limited to:
  - a. A conviction for a sex crime.
  - b. An offense involving a child victim.
  - c. A substance abuse felony or a violent crime.
2. When derogatory information is received on CYS employment/contractor applicants during a background check investigation, a Program Review Board (PRB) will be convened to recommend to the commander, as appropriate, the employment suitability of employee. The commander will appoint a PRB Chairperson..
  - a. Recommended PRB members include Child and Youth Services (CYS), Civilian Personnel Advisory Center (CPAC), Provost Marshal (PM), Criminal Investigation Division (CID), Director of Security (DSEC), Contracting Officer, Family Advocacy Program (FAP) and Judge Advocate (JA) proponents.
  - b. Law enforcement representatives, including PM and CID, provide technical advice during board deliberations but are non-voting members for purposes of employment suitability determination.
3. The PRB Chairperson will notify the individual of the derogatory information, allowing him/her an opportunity to challenge the accuracy and completeness of all information.
4. Derogatory information may be extracted from U.S. Army Law Enforcement records and provided to CYS employee/contractor applicants while protecting third party privacy information in accordance with AR 25-55, The Department of the Army Freedom of Information Act Program, 1 November 1997, AR 340-21, The Army Privacy Program, 5 July 1985, and AR 195-2, Criminal Investigation Activities, 30 October 1985. U.S. Army Law Enforcement records will not be released or otherwise made available to applicants by local installation officials. Concerned individuals may obtain a copy of U.S. Army Law Enforcement records pertaining to them under the provisions of the Privacy Act by writing to the Director, U.S. Army Crime Records Center, Attention: CICR-FP, 6010 6th Street, Fort Belvoir, VA 22060.
5. In making a decision of employment suitability, the PRB should use the following guidance. Note: This section is based on DODI 1402.5 Criminal History Background Checks On Individuals In Child Care, 19 Jan 1993.
  - a. The ultimate decision on use of information obtained from the background check investigation in selection for positions involving the care, treatment, supervision, or education of children should be made using a common sense approach based upon all

b. Suitability Considerations. In making a determination of suitability, the following additional factors will be considered to the extent that these examples are considered pertinent to the individual case:

- (1) The kind of position for which the individual is applying or employed.
- (2) The nature and seriousness of the conduct.
- (3) The recentness of the conduct.
- (4) The age of the individual at the time of the conduct.
- (5) The circumstances surrounding the conduct.
- (6) Contributing social or environmental conditions.
- (7) The absence or presence of rehabilitation or efforts toward rehabilitation.
- (8) The nexus of the arrests to the job to be performed.