

PERSONAL CHARACTER STANDARDS WORKSHEET

Instructions for completing this worksheet: The Ohio Revised Code requires a criminal records check for each person who will be providing direct care or other services for an older adult and/or other person receiving services through a program administered by or through the Department. In the event the person's criminal record report reveals a conviction, the person may be eligible to provide services once personal character standards are applied as outlined in OAC 173-41-01. ODA and/or its designee must ensure in those cases that the personal character standards have been applied as required. This worksheet is designed to assist the employer/prospective employer to apply personal character standards according to the Administrative Code.

The person under final consideration for employment to provide services through an ODA program or service administered by ODA who has a criminal record for any of the disqualifying offenses* listed in Appendix A of this worksheet may only be considered for employment and/or certification if **each of the following statements is TRUE for each conviction:**

TRUE

- The applicant is not a repeat violent offender*
- The offense is not a sexually-oriented offense*
- The offense is not one of abuse or neglect*
- The offense is not one of adulteration of food
- The offense is not a repeat theft-related offense*
- The offense is not a violation of any two theft-related* offenses
- The offense is not one of aggravated murder, murder, or voluntary manslaughter

If each of the above statements are TRUE for each conviction, consider each of the following statements and check those statements that are also true:

- The offense is not an offense of violence* and the applicant is discharged from imprisonment, sentenced to probation in lieu of imprisonment, or is on parole and is meeting all conditions subject to that conviction.
- The offense is an offense of violence* and at least five years have elapsed since the applicant was fully discharged from imprisonment, probation, and parole.
- The offense is an offense of violence* but the victim was not an older adult.

All of the following must be considered and weighed for each disqualifying offense* the individual has been convicted of. Please check each statement and consider the relevancy of each, recording the answers to each of the considerations in writing:

- The duties and responsibilities of the position.
- The nature and seriousness of the offense.
- The circumstances under which the offense was committed, including but not limited to:

- The applicant's age at the time of the offense;
 - The degree to which the applicant participated in the offense;
 - The age and ability of the victim, including whether the victim was an individual with physical disability and/or an older person; and,
 - The extent to which the position being filled provides an opportunity for the commission of the same or similar offenses.
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- The time elapsed since the applicant was fully discharged from imprisonment, probation, and parole;
 - The applicant's efforts at rehabilitation and the results of those efforts.
 - Whether any criminal proceedings are pending against the applicant.
 - A conviction listed on the report of criminal background check which lists an offense contained in the Revised Code that is not a disqualifying offense in the rule and the crime bears a direct and substantial relationship to the duties and responsibilities of the position being filled.
 - Any other factors which are relevant to the performance of the job duties.

By signing below, the employer or prospective employer attests that s/he has reviewed the report of a criminal background check for the following individual:

Printed Name of Person for Whom Personal Character Standards are being Applied

and has applied the personal character standards as required by section 173-41-01 of the Administrative Code and recommends the individual to provide services in an ODA-administered program or service.

Prospective Employer Signature

Date

Prospective Employer/Provider Printed Name and Title