DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON HEIDELBERG
UNIT 29237
APO AE 09102-9237

IMEU-HEI-MWC 1 December 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: United States Army Garrison Heidelberg (USAG Heidelberg), DCA Staff Memorandum # 17A, Procedures (SOP) for Conducting the Child Care National Agency Check with Inquiries (CNACI)

This memorandum expires two years from date of publication

1. References:

a. AR 608-10, Child Development Services, 12 February 1990.

b. Department of Defense Instruction (DODI) 1402.5, 19 Jan 1993, Subject: Criminal History Background Checks on Individuals in Child Care Services.

c. AR 608-10, Child Development Services Change 1, 15 August 1997.

d. Memorandum, CFSC-SFCY, 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.

e. Memorandum, AEAGA-G, 28 November 2001, Subject: Memorandum Concerning Background Checks for Child and Youth Services (CYS) Personnel-Action Memorandum.

2. The purpose of this SOP is to establish the procedures and responsibilities for obtaining completed Child Care National Agency Checks with Inquiries (CNACI) for CYS appropriated fund (APF) and non-appropriated fund (NAF) employees and APF/NAF contract workers, e.g., homework center instructor, in the USAG Darmstadt, USAG Mannheim, and USAG Heidelberg.

3. The U. S. Army Community and Family Support Center (CFSC) signed a Memorandum of Agreement (MOA) (reference d) with OPM with the understanding the CNACIs will be processed and returned within 75 days of receipt by OPM. Current processing times far exceed this timeframe. The CFSC-OPM MOA constitutes the latest guidance for conducting the CNACI. Background checks processed in a timely manner provide child abuse protection to children and youth and result in significant cost savings to the Army by reducing additional CYS ratio staffing needed for Line of Sight Supervision (LOSS) requirements.

4. The responsibilities of the proponent agencies are described below.

a. Civilian Personnel Advisory Center (CPAC): As the Submitting Office Number (SON) IAW OPM requirements, CPAC forwards completed CNACI packages to OPM for appropriated fund (APF) and for non-appropriated fund (NAF) CYS employees.

b. USAG Heidelberg, DCA Recreation and Family Support (RFS) Division, as SON, CYS contractors:

(1) Forwards completed CNACI packages for CYS contractors to OPM.

(2) As the Security Office Identifier (SOI) IAW OPM requirements, receives completed CNACI investigations on CYS APF/NAF employees and CYS contractors from OPM.

(3) Performs adjudication/suitability screenings on CNACIs received from OPM.

c. APF/NAF Contracting: Reviews Statements of Work (SOW) to ensure that the CNACI requirement is included in the contractor SOW, and maintains required CNACI documentation in contract files.

d. USAG Heidelberg, S2/3: conducts adjudication/suitability-screening training to the USAG DCA/RFS staff responsible for the actions described in paragraph 5(b), and in emergency situations and upon USAG Heidelberg, DCA request, assists RFS personnel in completing RFS responsibilities outlined in this SOP.

5. Agencies in paragraph 4 above will comply with procedures and policies outlined in enclosures 1-6 of reference1d. CNACI CYS contractor procedures are at enclosure 1 this memo.

6. Proponent for this procedure is the USAG Heidelberg, Recreation and Family Support (RFS) Division, DSN 373-8422, FAX 06221-160387.

FOR THE COMMANDER:

/s/
FREDRICK LEHMAN
Deputy to the Commander

Encl
Procedures for CYS Contractors

PROCEDURES FOR CYS CONTRACTORS

1. REFERENCES:

a. Department of Defense Instruction Number 1402.5, Subject: Criminal History Background Checks on Individuals in Child Care Services, 19 January 1993.

b. Memorandum, HQ, DA, CFSC-SFCY, 17 Sep 01, Subject: U. S. Office of Personnel Management (OPM) Federal Investigations Processing Center (FIPC) Procedure to Conduct Child and Youth Services (CYS) Background Checks, 17 September 2001.

2. IAW references 1a and 1b above, individuals under contract to CYS must undergo a Child Care National Agency Check with Inquiries (CNACI). Reference A defines government-contracted care providers as an individual or group of individuals hired under a Government contract to provide instruction, childcare services, healthcare, or youth services. FCC providers are not considered contracted Government employees for this Instruction.

3. STATEMENT OF WORK REQUIREMENTS AND RESPONSIBILITIES:

a. Garrison CYS Directors will incorporate the background check requirement in the Statement of Work. The Statement of Work, at a minimum, will:

1) State that the Government performs this background check.

2) Include the specific procedures that the contractor must follow to obtain the check; for example, the office where contractors report for processing, identification of proper forms to be completed, and identification of the authorized recipient of the background check results.

3) State that the cost of conducting CNACIs will be centrally funded by the USACFSC.

4) State that the contractor will complete the CNACI package within 30 days after award of contract.

5) State that the contractor may be permitted to work before completion of the CNACI, provided the contractor is within line of sight supervision (LOSS) by a cleared CYS staff member.

6) State that the contractor's continued employment is contingent on favorable results of the local records check and the CNACI.

7) State that the contractor has a right to obtain a copy of the background checks report, who he/she should contact for a copy, and whom to contact for procedures to challenge the accuracy and completeness of the information in the report.

8) Require that the contractor who has previously received a background check must provide proof of the check or obtain a new one.

a. Garrison CYS staff will assist the contractor with the preparation of the required paperwork/package and with obtaining fingerprints. CYS staff will also assist the contractor in delivering the completed paperwork to the POC designated to forward contractor CNACIs to OPM.

b. Garrison CYS staff will adhere to the timelines as described at enclosure 2, reference 1b above.

4. CNACI RESULTS REQUIREMENTS AND RESPONSIBILITIES:

a. The USAG Heidelberg, DCA/RFS will receive the results of the contractor checks from OPM. Following the adjudication/suitability screening process, the RFS POC will prepare a memorandum for the contractor stating that the results have been received. The results will be annotated in the memo as favorable or unfavorable.

b. Favorable Results: The memo will state that the contractor is released from LOSS if all other background checks have been received with favorable results. A copy of this memo will be furnished to the Contracting Officer for inclusion in the contract file and to the Garrison CYS COR or other designated point of contact for inclusion in the contractor's file.

c. Unfavorable Results: The memo will not reveal the nature of any derogatory information. The Garrison CYS will implement the procedures at enclosure 3 reference 1b, Determination of Child and Youth Services (CYS) Employment Suitability When Derogatory Information is Identified During a Background Check Investigation.

d. The Garrison CYS Chief will inform the contractor and the Contracting Officer of the results of the Program Review Board (PRB). If the Commander's decision is to retain the contractor, the Garrison CYS Chief will provide the contractor and the Contracting Officer a memo to this effect, which includes a release from LOSS if all other background checks have been received with favorable results. If the Commander's decision is to release the contractor, the Garrison CYS Chief will provide the contractor and the Contracting Officer with a memo stating that CYS requests termination of the contract for cause, based on unfavorable CNACI and the determination of the PRB, which was upheld by the Commander. A copy of the Commander's decision will be attached to the CYS memo to the Contracting Officer.

e. Enclosure 4, reference 1b, describes the disposition of records.