

### **Variances for Background Checks updated 8/27/2024**

For a Variance related to a contracted employee's criminal background to be requested, DDS D needs the below to be submitted for review.

- A letter\* Employer of Record explaining why the potential employee's background should not be a barrier to them supporting person
- A letter\* from the potential employee explaining why their background should not be a barrier to them supporting person. This should include an explanation of the conviction and how their life has changed.
- A letter of reference, if helpful. This is not a requirement for request to be reviewed

\*Make note of information including employer name and contact info, employee name and contact info, client/consumer name and DOB, agency, guardian\*

Once a Variance request is received, DDS D completes the below process in order to make a decision to approve or deny each request.

1. DDS D staff confirms person being supported is receiving DDS D funded supports.
2. DDS D Staff requests a copy of the potential employee's background check from ARIS Solutions.
3. DDS D Staff will contact Employer of Record if additional information is needed.
4. DDS D staff will contact potential employee if additional is needed.
5. DDS D staff will grant or deny the request based on the circumstances of each request. This may include how long it has been since the convictions occurred, the potential employees connection or relationship with the person in services, the circumstances that lead to the conviction and any other information provided in the request.
6. Once a decision is made, a Decision Notice will be sent to the Employer of Record. If the request is denied, appeal rights will be included with the decision.
7. A copy of the decision letter is sent to Aris Solutions
8. DDS D Staff saves all documentation related to request.