

Austin Community College Children's Lab School Criminal Conviction Statement for Child Development Lab Students

The *Minimum Standards for Day Care Centers*, published by the Texas Department of Family and Protective Services (TDFPS), determine an employee or volunteer's (including lab students) eligibility to participate regularly in a child care setting (whether or not they are counted in the staff-child ratio). The eligibility standards include the completion of the following Criminal History Statement and both a subsequent criminal background and central registry check for child abuse or neglect conducted by TDFPS and the FBI.

A person with a felony conviction under the Texas Penal Code (TPC) Title 4-8 as listed on the attached page of this form (or any like offense under the law of another state or federal law) or a sustained finding of physical or sexual abuse that meet a preponderance of the evidence standard is permanently barred from being present in a child care center while children are in care. A person with a misdemeanor conviction under the above Titles of TPC; with other findings of child abuse or neglect that meet a preponderance of the evidence standard; with a felony or misdemeanor conviction under Chapter 49 of Title 10 or under the Texas Controlled Substance Act within the past ten (10) years; or with any other felony conviction under any other title of the TPC within the past ten years may not be present in a child care setting while children are in care. Child Development Department policies require anyone with any of the above charges or any other pending felony charge to obtain departmental approval prior to enrolling in classes and participating in lab experiences.

NO STUDENT WILL BE PERMITTED TO REMAIN IN A CHILD DEVELOPMENT COURSE THAT REQUIRES LABORATORY EXPERIENCES IN A CHILD CARE CENTER IF THEY DO NOT MEET THESE REQUIREMENTS.

In addition to this statement, an *Affidavit for Applicants for Employment with a Licensed Operation or Registered Child-care Home* form must also be completed and notarized. Both forms must be completed prior to beginning lab. The information provided will be submitted for a background check through TDFPS and the FBI.

Child Development Students are expected to complete both forms honestly, understanding the seriousness of the requirements listed. **A student who willfully misrepresents the information on these forms will be withdrawn immediately from all Child Development coursework requiring laboratory experiences in a child care setting and may be subject to the ACC student disciplinary policy outlined in the *Austin Community College Student Handbook*.**

It is expected that students who are employed in a licensed child care center or family day home and who will complete their laboratory experiences at their place of employment have already met these requirements. ***However, ALL students will be submitted for a background check through TDFPS.***

Please review the offenses on the back of this page carefully. Initial each box and sign the bottom of the form. IF YOU ARE UNABLE TO INITIAL A STATEMENT ON THIS FORM PLEASE DESCRIBE THE OFFENSE ON THE BACK. You may speak with the ACC Child Development Department Chair, Gale Spear, 223-5201 or ACC Lab School Director, Dawn Leach, 223-5206, if you have questions regarding your criminal history.

- I have reviewed the list of criminal offenses listed on the back of this form.
- I do not have a felony or misdemeanor conviction for any of the listed offenses.
- I am not currently the subject of an indictment or an official criminal complaint for any of the listed offenses.
- I have not been the subject of a child abuse investigation that was determined to have a sustained finding of physical or sexual abuse that meet a preponderance of the evidence standard.
- I am not currently the subject of a child abuse investigation or neglect investigation.
- I do not have any other criminal history for which I received a felony conviction within the past ten years.
- I am not currently under investigation for a criminal felony or have a pending charge for any criminal felony.
- I have not been the subject of a child abuse or neglect investigation with findings that meet the preponderance of evidence standard.
- I will notify the ACC Children's Lab School Director or the Child Development Department Chair within 24 hours if I am the subject of an indictment or offense.
- I have read this complete form and certify that it is true and correct. I understand that the information provided will be submitted to the TDFPS or another appropriate agency for a criminal background check.

I understand that if any criminal record with a felony, including a pending felony charge, is returned as a result of my criminal background, I will be withdrawn from child development courses.

Please complete the information below:

First Name		Middle Name (not maiden name)		Last Name		Social Security Number		
Type of ID: Driver's License <input type="checkbox"/> State Issued ID <input type="checkbox"/>		ID Number	Issuing State	Date of Birth		Sex Male <input type="checkbox"/> Female <input type="checkbox"/>		
Street Address			Apt #	City		Zip		
County			Telephone no. (A/C)		Email Address			
Other Cities of Residence in Texas		Out of State Resident in the last 5 years? <input type="checkbox"/> Yes <input type="checkbox"/> No		Previous Address(es) Outside of Texas, include County:				
Ethnicity (must accompany race) <input type="checkbox"/> Hispanic <input type="checkbox"/> Other			Race: <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> White					
Date of Hire/ Use by the Facility or Agency				Relationship of Person to Center : VOLUNTEER				
Other names used (married, maiden, etc.) First name:			Middle name		Last name			
LIST ALL CDEC/TECA COURSES YOU ARE TAKING <u>THIS TERM</u>. Place the course you are completing this form in on line #1.						FOR FACULTY AND STAFF ONLY Check Placement Site Below		
1.						Community	Place of Employment	Children's Lab School
2.						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.						X		
4.						Faculty/Staff Signature (signifies review)		
X						Course:	Synonym:	

Student Signature

Date

Please read Criminal Offenses under the Texas Penal Code and the Health and Safety Code on the back of this page.

Criminal Offenses Under the Texas Penal Code and the Health and Safety Code
(Excerpted from Minimum Standards Rules for Child-Care Centers, Appendix IV)

The following are criminal offenses under the Texas Penal Code: Title 4; Title 5, Chapters 19-22; Title 6, Chapter 25; Title 7, Chapter 29; Title 8, Chapter 38; Title 9, Chapter 39, Chapter 42 and Chapter 43, Subchapters A and B; Title 10, Chapter 46 and 49. Also listed are offenses under the Health and Safety Code: Chapter 481, Subchapter D and the Texas Alcohol and Beverage Code: Section 106. **Note:** An offense term in the Texas Penal Code or under the Texas Controlled Substance Act is subject to change. Some titles listed have changed over the past few years, so you may encounter offense terms that do not match any of the following terms.

TEXAS PENAL CODE

Title 4. Inchoate Offenses

Chapter 15. Preparatory Offenses

15.031. Criminal Solicitation of a Minor

Title 5. Offenses Against the Person (a felony or misdemeanor classified as an offense against the person)

Chapter 19. Criminal Homicide

- 19.02 Murder
- 19.03 Capital Murder
- 19.04 Manslaughter
- 19.05 Criminally Negligent Homicide

Chapter 20. Kidnapping and Unlawful Restraint

- 20.02 Unlawful Restraint
- 20.03 Kidnapping
- 20.04 Aggravated Kidnapping
- 20.05 Unlawful Transport

Chapter 21. Sexual Offenses

- 21.06 Homosexual Conduct
- 21.07 Public Lewdness
- 21.08 Indecent Exposure
- 21.11 Indecency With a Child
- 21.15 Improper Photography or Visual Recording

Chapter 22. Assaultive Offenses

- 22.01 Assault
 - 22.011 Sexual Assault
 - 22.015 Coercing, Soliciting or Inducing Gang Membership
- 22.02 Aggravated Assault
 - 22.021 Aggravated Sexual Assault
- 22.04 Injury to a Child, Elderly Individual, or Disabled Individual
- 22.041 Abandoning or Endangering a Child
- 22.05 Deadly Conduct
- 22.07 Terroristic Threat
- 22.08 Aiding Suicide
- 22.09 Tampering With Consumer Product
- 22.10 Leaving a Child in a Vehicle
- 22.11 Harassment by Persons in Certain Correctional Facilities

Title 6. Chapter 25. Offenses Against the Family (a felony or misdemeanor classified as an offense against the family)

- 25.01 Bigamy
- 25.02 Prohibited Sexual Conduct
- 25.03 Interference with Child Custody
 - 25.031 Agreement to Abduct From Custody
- 25.04 Enticing a Child
- 25.05 Criminal Nonsupport
- 25.06 Harboring a Runaway Child
- 25.07 Violation of Protective Order or Magistrate's Order
- 25.071 Violation of Protective Order Preventing Offense Caused by Bias or Prejudice
- 25.08 Sale or Purchase of Child
- 25.09 Advertising for Placement of Child

Title 7. Chapter 29 Offenses Against Property

- 29.02 Robbery
- 29.03 Aggravated Robbery

Title 8. Offenses Against Public Administration

Chapter 38. Obstructing Governmental Operation

- 38.17 Failure to Stop or Report Aggravated Sexual Assault of a Child

Chapter 39 (Abuse of Office)

- 39.04 Violations of the Civil Rights of Person in Custody; Improper Sexual Activity with Person in Custody

Title 9. Offenses Against Public Order and Decency (a felony or misdemeanor classified as an offense against public order and decency)

Chapter 42. Disorderly Conduct and Related Offenses

- 42.072 Stalking
- 42.08 Abuse of Corpse
- 42.09 Cruelty to Animals
 - 42.091 Attack on Assistance Animal
 - 42.092 Cruelty to Nonlivestock Animals
- 42.10 Dog Fighting

Chapter 43. Public Indecency

Subchapter A. Prostitution

- 43.02 Prostitution
- 43.03 Promotion of Prostitution
- 43.04 Aggravated Promotion of Prostitution
- 43.05 Compelling Prostitution

Subchapter B. Obscenity

- 43.22 Obscene Display or Distribution
- 43.23 Obscenity
- 43.24 Sale, Distribution, or Display of Harmful Material to a Minor

- 43.25 Sexual performance by a child
 - 43.251 Employment Harmful to Children
- 43.26 Possession or Promotion of Child Pornography

Title 10. Offenses Against Public Health, Safety and Morals

Chapter 46. Weapons

- 46.13 Making a Firearm Accessible to a Child

Chapter 49. Intoxication and Alcoholic Beverage Offenses

- 49.02 Public Intoxication
 - 49.031 Possession of Alcoholic Beverage in Motor Vehicle
 - 49.04 Driving While Intoxicated
 - 49.05 Flying While Intoxicated
 - 49.06 Boating While Intoxicated
 - 49.065 Assembling or Operating an Amusement Ride While Intoxicated
 - 49.07 Intoxication Assault
 - 49.08 Intoxication Manslaughter
 - 49.09 Enhanced Offenses and Penalties

HEALTH AND SAFETY CODE

Chapter 481. Texas Controlled Substance Act

Subchapter D. Offenses and Penalties

- 481.112 Manufacture or Delivery of Substance in Penalty Group 1 (Penalty Groups are defined in previous sections of subchapter)
- 481.1121 Manufacture or Delivery of Substance in Penalty Group 1-A
- 481.113 Manufacture or Delivery of Substance in Penalty Group 2
- 481.114 Manufacture or Delivery of Substance in Penalty Group 3 or 4
- 481.115 Possession of Substance in Penalty Group 1
 - 481.1151 Possession of Substance in Penalty Group 1-A
- 481.116 Possession of Substance in Penalty Group 2
- 481.117 Possession of Substance in Penalty Group 3
- 481.118 Possession of Substance in Penalty Group 4
- 481.119 Manufacture, Delivery, or Possession of Miscellaneous Substances
- 481.120 Delivery of Marihuana
- 481.121 Possession of Marihuana
- 481.122 Delivery of Controlled Substance or Marihuana to Child
- 481.123 Delivery, Manufacture, or Possession of Controlled Substance Analogue
- 481.124 Possession or Transport of Certain Chemicals with Intent to Manufacture Controlled Substance
- 481.125 Possession or Delivery of Drug Paraphernalia
- 481.126 Illegal Expenditure or Investment
- 481.127 Unauthorized Disclosure of Information
- 481.128 Commercial Matters
- 481.129 Fraud
- 481.131 Diversion of Controlled Substance Property or Plant
- 481.132 Multiple Prosecutions
- 481.133 Falsification of Drug Test Results
- 481.134 Drug-Free Zones
- 481.136 Unlawful Transfer or Receipt of Chemical Precursor
- 481.137 Transfer of Precursor Substance for Unlawful Manufacture
- 481.138 Unlawful Transfer or Receipt of Chemical Laboratory Apparatus
- 481.139 Transfer of Chemical Laboratory Apparatus for Unlawful Manufacture
- 481.140 Use of Child in Commission of Offense

TEXAS ALCOHOL AND BEVERAGE CODE

Section 106: Provisions Relating to Age

- 106.06 Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor

IF YOU ARE UNABLE TO INITIAL A STATEMENT ON THE FRONT PAGE OF THIS FORM PLEASE EXPLAIN HERE:
