

COQUILLE TRIBAL REGULATION
Chapter 186
Child Protection Regulation

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186.010 General

This regulation is adopted by the Coquille Tribal Administration to prescribe rules and procedures necessary to carry out the provisions of the Coquille Child Protection Ordinance, CITC Chapter 185.

1. Purpose.

The purpose of this regulation is to clarify the background check process for all persons in Covered Positions, as defined by CITC Chapter 185.

2. Background and Intent

- a. The CITC Chapter 185 recognizes that no resource is more vital to the Tribe's continued existence and integrity than its children and the Tribe has a direct interest in protecting children. CITC Chapter 185 and these regulations are vital to protect the health and welfare of the Coquille Indian Tribe and its residents, Tribal members, and visitors.

- b. It is the intent of the Tribal Council and the Tribal Administration to protect the health and welfare of the Tribe, its members, employees, residents, visitors, and especially its children, by establishing policies and procedures by which certain persons coming into proximity with children must meet minimum standards of character. CITC 185.030 states, "Using the regulations procedures set forth in CITC Chapter 120, the Executive Director shall have the authority to prescribe such rules and regulations as it deems necessary to carry out the purpose of this ordinance and to facilitate its operation." These regulations are adopted with the authority granted to the Tribal Executive Director under CITC 185.030.

- c. The Tribal Executive Director adopts these regulations also to provide actual and/or constructive notice to third parties regarding what is required to comply with the Child Protection Ordinance, CITC Chapter 185.

3. Definitions

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- d. **Anniversary Date** means the month of the persons original placement in a covered position with the Tribe.
- e. **Covered Position** means the definition set forth in CITC Chapter 185.
- f. **FBI Background Check** means the national criminal background check completed by the Federal Bureau of Investigation.
- g. **Fingerprinting** means the process by which fingerprints of persons are copied in order for a nationwide criminal background check to be completed.
- h. **Full Disclosure** means both the LEADS and FBI Background Checks.
- i. **LEADS Check** means the Law Enforcement Database System screening that is used to background check persons by social security number for offenses committed in the State of Oregon.
- j. **Placement** means the date of hire, the contract start date, or the volunteer start date of a person in a Covered Position.

186.050 Frequency of Background Checks

CITC 185.120 states that “All Tribal entities must conduct an investigation of the character of each person that holds, or is being considered for, a covered position, to determine their suitability for employment.” The frequency of the background checks shall be as follows:

1. Full Disclosure shall be completed prior to placement of a person in a Covered Position.
2. LEADS checks for persons in Covered Positions shall be completed annually at or near the anniversary date of the person’s placement in a Covered Position.

186.100 Lapse in Placement in a Covered Position

Any person that is placed in a Covered Position as an employee, service contractor, or volunteer with any Tribal entity is required to complete the Full Disclosure prior to employment. Should this employment, service contract, or volunteer status lapse for greater than three years, or should the person reside in a state besides Oregon, the person

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must resubmit a new Full Disclosure and complete this process prior to the commencement of employment in a Covered Position. .