

TUSCARAWAS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

STATE OF OHIO

COUNTY OF TUSCARAWAS

BEING DULY SWORN, DEPOSES AND SAYS:

(Name)

1. The affiant (referred to in this affidavit as the "applicant") is applying for the position of **Volunteer** at the Tuscarawas County Board of Developmental Disabilities (referred to in this affidavit as the "Board").

2. The applicant understands that, in accordance with Ohio Revised Code Section 5123.081 and Ohio Administrative Code rule 5123-2-02, the Board is required to conduct a background investigation of all new employees, including gathering a set of impressions of the applicant's fingerprints for purposes of a criminal records check, a reference check of past and present employers, and a review of certain databases. The applicant further understands that, if the applicant is applying for a position that includes transporting individuals with developmental disabilities, the Board will request a copy of the applicant's driving record regarding the record of convictions for violations of motor vehicle laws from the registrar of motor vehicles. The applicant agrees to sign all forms necessary for the Board (or the Board's designee) to receive this information and understands that failure to do so means the Board will not employ the applicant. **By signing below, the applicant hereby consents to the Board conducting the background investigation described in this paragraph as required under Ohio law.**

(Applicants: Check either 3 or 4 but not both)

_____ 3. The applicant states that he/she has been a resident of Ohio for the five-year period preceding this application. The applicant agrees to provide proof to the Board that he/she has been a resident of Ohio for the five-year period preceding this application.

_____ 4. The applicant states that he/she has not been a resident of Ohio for the five-year period preceding this application. **As a result, the applicant understands that the Board must request criminal records check from the Federal Bureau of Investigation, and, by signing below, the applicant hereby consents to the Board requesting such information from the Federal Bureau of Investigation.**

(Applicants: Check either 5 or 6 but not both)

_____ 5. The applicant states that he/she has not been convicted of, plead guilty to, or been found eligible for intervention in lieu of conviction for any of the offenses listed in Exhibit 1. Exhibit 1 is attached to and hereby made a part of this affidavit. The applicant states that he/she has read Exhibit 1 as acknowledged by the applicant's initials on every page of Exhibit 1.

_____ 6. The applicant states that he/she has been convicted of, plead guilty to, or been found eligible for intervention in lieu of conviction for one or more of the offenses listed in Exhibit 1. Exhibit 1 is attached to and hereby made a part of this affidavit. The applicant states that he/she has read Exhibit 1 as acknowledged by the applicant's initials on every page of Exhibit 1. For each offense for which the applicant has been convicted of, plead guilty to, or been found eligible for intervention in lieu of conviction, the applicant states:

- a. The original charge was _____
- b. The conviction was for _____
- c. The date of the conviction was _____
- d. The sentence was _____
- e. The date of the completion of all terms of the sentence was _____
- f. The circumstances of the crime were as follows: _____

7. The applicant understands that, in accordance with Ohio Revised Code Section 109.572, the Board is entitled to information regarding all convictions, guilty pleas, or interventions in lieu of conviction of the applicant with respect to offenses listed or described in Exhibit 1, including those that have been expunged or sealed under Ohio law. **The applicant understands that he/she must disclose such expunged or sealed convictions or records to the Board.**

8. The applicant agrees to inform the Board, **within 14 calendar days**, if, while the applicant is employed by the Board, the applicant is ever formally charged with, convicted of, pleads guilty to, or is found eligible for intervention in lieu of conviction for any of the offenses listed in Exhibit 1. The applicant understands that failure to report to the Superintendent any formal charges, a conviction of, a guilty plea to, or eligibility for intervention in lieu of conviction for any of the offenses listed in Exhibit 1, may result in the applicant being dismissed from Board employment.

9. The applicant understands that the accuracy of this information is a condition of employment and that the Board is relying on the accuracy of this information in making any offer of employment to the applicant.

10. The applicant understands that he/she may be discharged if any of the above information is false, incomplete, or misleading.

11. The applicant states that the above information is complete, true and accurate under penalty of perjury.

FURTHER AFFIANT SAYETH NAUGHT.

Signature of Affiant

Date: _____

Sworn to and subscribed before me at _____, Ohio, this ___ day of _____
_____.

Notary Public

Commission Expiration Date

**EXHIBIT 1 TO AFFIDAVIT OF _____,
APPLICANT FOR EMPLOYMENT WITH THE TUSCARAWAS COUNTY BOARD OF
DEVELOPMENTAL DISABILITIES.**

Under Ohio law, there are five tiers of disqualifying offenses with a corresponding time period that preclude an applicant from being employed or an employee from remaining employed by the Board. Each of the tiers and the corresponding time period is listed below.

TIER ONE (Permanent Exclusion):

The Board shall not employ an applicant or continue to employ an employee if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

1. R.C. §2903.01 - Aggravated murder
2. R.C. §2903.02 - Murder
3. R.C. §2903.03 - Voluntary manslaughter
4. R.C. §2903.11 - Felonious assault
5. R.C. §2903.15 - Permitting Child Abuse
6. R.C. §2903.16 - Failing to provide for a functionally impaired person
7. R.C. §2903.34 - Patient abuse or neglect
8. R.C. §2903.341 - Patient endangerment
9. R.C. §2905.01 - Kidnapping
10. R.C. §2905.02 - Abduction
11. R.C. §2905.32 - Human trafficking
12. R.C. §2905.33 - Unlawful conduct with respect to documents
13. R.C. §2907.02 - Rape
14. R.C. §2907.03 - Sexual battery
15. R.C. §2907.04 - Unlawful sexual conduct with a minor (formerly corruption of a minor).
16. R.C. §2907.05 - Gross sexual imposition
17. R.C. §2907.06 - Sexual imposition
18. R.C. §2907.07 - Importuning
19. R.C. §2907.08 - Voyeurism
20. R.C. §2907.12 – Felonious sexual penetration as it existed prior to September 3, 1996
21. R.C. §2907.31 - Disseminating matter harmful to juveniles
22. R.C. §2907.32 - Pandering obscenity
23. R.C. §2907.321 - Pandering obscenity involving a minor
24. R.C. §2907.322 - Pandering sexually oriented matter involving a minor
25. R.C. §2907.323 – Illegal use of minor in nudity-oriented material or performance
26. R.C. §2909.22 - Soliciting/providing support for act of terrorism

27. R.C. §2909.23 - Making terrorist threat
28. R.C. §2909.24 - Terrorism
29. R.C. §2913.40 - Medicaid fraud
30. R.C. §2923.01 - (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
31. R.C. §2923.02 - (Attempt) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
32. R.C. §2923.03 - (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
33. A conviction related to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct involving a federal or state-funded program, excluding the disqualifying offense set forth in section 2913.46 of the Revised Code (illegal use of supplemental nutrition assistance program or women, infants, and children program benefits)
34. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

TIER TWO (Ten-Year Exclusion):

The Board shall not employ an applicant or continue to employ an employee for a period of ten years from the date the applicant or employee was fully discharged from imprisonment, probation, and parole, if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code.

35. R.C. §2903.04 - Involuntary manslaughter
36. R.C. §2903.041 - Reckless Homicide
37. R.C. §2905.04 - Child stealing (as it existed prior to July 1, 1996)
38. R.C. §2905.05 - Criminal child enticement
39. R.C. §2905.11 - Extortion
40. R.C. §2907.21 - Compelling prostitution
41. R.C. §2907.22 - Promoting prostitution
42. R.C. §2907.23 – Enticement or solicitation to patronize a prostitute; procurement of a prostitute for another
43. R.C. §2909.02 - Aggravated Arson
44. R.C. §2909.03 - Arson
45. R.C. §2911.01 - Aggravated robbery
46. R.C. §2911.11 - Aggravated burglary
47. R.C. §2913.46 - Illegal use of supplemental nutrition assistance program or women, infants, and children program benefits.
48. R.C. §2913.48 - Workers' Compensation fraud
49. R.C. §2913.49 - Identity fraud
50. R.C. §2917.02 - Aggravated riot

51. R.C. §2923.12 - Carrying concealed weapon
52. R.C. §2923.122 – Illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone and illegal possession of an object indistinguishable from a firearm in a school safety zone
53. R.C. §2923.123 – Illegal conveyance, possession or control of a deadly weapon or dangerous ordnance into a courthouse
54. R.C. §2923.13 - Having weapons while under disability
55. R.C. §2923.161 - Improperly discharging a firearm at or into a habitation or school
56. R.C. §2923.162 - Discharge of firearm on or near prohibited premises
57. R.C. §2923.21 - Improperly furnishing firearms to a minor
58. R.C. §2923.32 - Engaging in a pattern of corrupt activity
59. R.C. §2923.42 - Participation in criminal gang activity
60. R.C. §2925.02 - Corrupting another with drugs
61. R.C. §2925.03 - Trafficking in drugs
62. R.C. §2925.04 - Illegal manufacture of drugs or cultivation of marijuana
63. R.C. §2925.041 – Illegal assembly or possession of chemicals for the manufacture of drugs
64. R.C. §3716.11 - Placing harmful objects in food or confection
65. R.C. §2923.01 - (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
66. R.C. §2923.02 - (Attempt) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
67. R.C. §2923.03 - (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
68. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

TIER THREE (Seven-Year Exclusion):

The Board shall not employ an applicant or continue to employ an employee for a period of seven years from the date the applicant or employee was fully discharged from imprisonment, probation, and parole, if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

69. R.C. §959.13 - Cruelty to animals
70. R.C. §959.131 - Prohibitions concerning companion animals
71. R.C. §2903.12 - Aggravated assault
72. R.C. §2903.21 - Aggravated menacing
73. R.C. §2903.211 - Menacing by Stalking
74. R.C. §2905.12 - Coercion
75. R.C. §2909.04 - Disrupting public services

76. R.C. §2911.02 - Robbery
77. R.C. §2911.12 - Burglary
78. R.C. §2913.47 - Insurance Fraud
79. R.C. §2917.01 - Inciting to violence
80. R.C. §2917.03 - Riot
81. R.C. §2917.31 - Inducing panic
82. R.C. §2919.22 - Endangering children
83. R.C. §2919.25 - Domestic violence
84. R.C. §2921.03 – Intimidation
85. R.C. §2921.11 - Perjury
86. R.C. §2921.13 - Falsification, falsification in theft offense, falsification to purchase firearm, or falsification to obtain a concealed handgun license.
87. R.C. §2921.34 - Escape
88. R.C. §2921.35 - Aiding escape or resistance to lawful authority
89. R.C. §2921.36 - Illegal conveyance of weapons, drugs, or other prohibited items into grounds of detention facility or institution.
90. R.C. §2925.05 - Funding of drugs or marijuana trafficking
91. R.C. §2925.06 - Illegal administration or distribution of anabolic steroids
92. R.C. §2925.24 - Tampering with drugs
93. R.C. §2927.12 - Ethnic intimidation
94. R.C. §2923.01 - (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
95. R.C. §2923.02 - (Attempt) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
96. R.C. §2923.03 - (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
97. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

TIER FOUR (Five-Year exclusion):

The Board shall not employ an applicant or continue to employ an employee for a period of five years from the date the applicant or employee was fully discharged from imprisonment, probation, and parole, if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

98. R.C. §2903.13 – Assault
99. R.C. §2903.22 - Menacing
100. R.C. §2907.09 - Public indecency

101. R.C. §2907.24 - Soliciting after a positive HIV test
102. R.C. §2907.25 - Prostitution
103. R.C. §2907.33 - Deception to obtain matter harmful to juveniles
104. R.C. §2911.13 - Breaking and entering
105. R.C. §2913.02 - Theft
106. R.C. §2913.03 - Unauthorized use of a vehicle
107. R.C. §2913.04 – Unauthorized use of property; computer, cable, or telecommunication property
108. R.C. §2913.05 - Telecommunications fraud
109. R.C. §2913.11 - Passing bad checks
110. R.C. §2913.21 - Misuse of credit cards
111. R.C. §2913.31 - Forgery, forging identification cards
112. R.C. §2913.32 - Criminal simulation
113. R.C. §2913.41 - Defrauding a rental agency or hostelry
114. R.C. §2913.42 - Tampering with records
115. R.C. §2913.43 - Securing writings by deception
116. R.C. §2913.44 - Personating an officer
117. R.C. §2913.441 - Unlawful display of law enforcement emblem
118. R.C. §2913.45 - Defrauding creditors
119. R.C. §2913.51 - Receiving stolen property
120. R.C. §2919.12 - Unlawful abortion
121. R.C. §2919.121 - Unlawful abortion upon a minor
122. R.C. §2919.123 - Unlawful distribution of an abortion-inducing drug
123. R.C. §2919.23 - Interference with custody
124. R.C. §2919.24 - Contributing to unruliness or delinquency of child
125. R.C. §2921.12 - Tampering with evidence
126. R.C. §2921.21 - Compounding a crime
127. R.C. §2921.24 - Disclosure of confidential information
128. R.C. §2921.32 - Obstructing justice
129. R.C. §2921.321 - Assaulting/harassing a police dog, horse/service animal
130. R.C. §2921.51 - Impersonation of peace officer
131. R.C. §2925.09 – Illegal administration, dispensing, distribution, manufacture, possession, selling, or using any dangerous veterinary drug
132. R.C. §2925.11 - Drug possession other than a minor drug possession offense
133. R.C. §2925.13 - Permitting drug abuse

- 134. R.C. §2925.22 - Deception to obtain a dangerous drug
- 135. R.C. §2925.23 - Illegal processing of drug documents
- 136. R.C. §2925.36 - Illegal dispensing of drug samples
- 137. R.C. §2925.55 - Unlawful purchase or receipt of pseudoephedrine product
- 138. R.C. §2925.56 - Unlawful sale of pseudoephedrine product
- 139. R.C. §2923.01 - (Conspiracy) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 140. R.C. §2923.02 (Attempt) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 141. R.C. §2923.03 (Complicity) when the underlying offense is any of the offenses or violations described in this tier of this Exhibit
- 142. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

TIER FIVE (No Exclusion):

The Board may employ an applicant or continue to employ an employee if the applicant or employee has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the following sections of the Revised Code:

- 143. R.C. §2925.11 - Drug possession that is minor drug possession offense
- 144. R.C. §2925.14 - Illegal use or possession of drug paraphernalia
- 145. R.C. §2925.141 - Illegal use or possession of marijuana drug paraphernalia
- 146. A violation of an existing or former municipal ordinance or law of this state, or any other state, or the United States that is substantially equivalent to any of the offenses or violations described in this tier of this Exhibit

ADDITIONAL OFFENSE:

- 147. R.C. §2919.124 - Unlawful performance of a drug-induced abortion

APPLICANT MUST INITIAL IN THE FOLLOWING SPACE _____