

Disqualifying Crimes for Childcare Employment:

1. Any felony;
2. A violation of O.C.G.A. § 16-5-23, relating to simple battery, where the victim is a minor;
3. A violation of O.C.G.A. § 16-5-23.1, relating to battery, where the victim is a minor;
4. A violation of O.C.G.A. § 16-21-1, relating to contributing to the delinquency, unruliness or deprivation of a minor;
5. A violation of O.C.G.A. § 16-6-1 et seq., relating to sexual offenses;
6. A violation of O.C.G.A. § 16-5-29, relating to battery of an unborn child;
7. A violation of O.C.G.A. § 16-5-70, relating to cruelty to children;
8. A violation of O.C.G.A. § 16-12-1.1, relating to a child care operator permitting one with an unsatisfactory background check determination to work or reside in an early care and education program;
9. A violation of O.C.G.A. § 16-12-100, relating to obscenity involving minors;
10. A violation of O.C.G.A. § 16-12-100.1, relating to electronically furnishing obscene materials to minors;
11. A violation of O.C.G.A. § 16-12-100.2, relating to computer or electronic pornography and child exploitation prevention;
12. A violation of O.C.G.A. § 16-12-100.3, relating to obscene telephone contact with minors;
13. A violation of O.C.G.A. § 40-6-391, relating to DUI, when a child is endangered;
14. A violation of O.C.G.A. § 19-7-5, relating to failure to report child abuse when mandated by law to report;
15. A violation of O.C.G.A. § 16-4-1, relating to criminal attempt when the crime attempted is any of the crimes specified by this above;
16. Child pornography;
17. Abuse of, endangerment of or sexual assault against a child by an adult;
18. Any other violent misdemeanor against a child by an adult; or
19. Any other offense committed in another jurisdiction which, if committed in this state,

would be one of the enumerated crimes listed in this paragraph;

20. Any violation listed in 45 C.F.R. 98.43(c).

f. Criminal Record means:

1. Conviction of a crime; or

2. Arrest, charge, and sentencing for a crime where:

i. A plea of nolo contendere was entered to the charge; or

ii. First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however, that this division shall not apply to a violation of O.C.G.A. § 16-13-1 et seq., relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of O.C.G.A. § 16-13-1 et seq. if such violation or offense constituted only simple possession; or;

3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant of O.C.G.A. § 17-3-1 et seq