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**State of Wisconsin
Department of Children and Families
Division of Early Care and Education**

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January 8, 2010

To: Licensed Child Care Providers

BECR MEMO 2010-01

From: Jill Chase, Director
Bureau of Early Care Regulation

RE: Follow up to BECR Memo 2009-06
Background Information Disclosure (BID) Form Changes for Licensees

On December 7, 2009, the Bureau of Early Care Regulation sent a letter to all licensed child care providers notifying them of the changes to the caregiver background check (CBC) process under 2009 Wisconsin Act 76 (BECR MEMO 2009-06). This letter can be accessed online at http://dcf.wisconsin.gov/memos/BRL/2009/2009_06.pdf. Changes to the CBC law will impact the frequency of background checks, the frequency that Background Information Disclosure (BID) forms must be submitted to the Department and the list of crimes and offenses. An updated crimes list is attached. The BID forms are now required to be collected on an annual basis for all nonclient residents (household members) and all licensed providers.

Changes to the Background Information Disclosure (BID) process

In the past, BID forms were sent to all licensees every two years as part of the license continuation process. Licensees and household members were required to submit the completed BID form every two years with the required fee. Because of the changes to the law, the BID form will now be sent to all licensees once a year to be completed and returned. This process will be separate and independent from the license continuation process. The fee associated with each caregiver background check has not changed and may be collected as follows:

Automatic Deduction for Licensees Serving Children in the Wisconsin Shares Program:

- To make the process easier for individuals receiving Wisconsin Shares payments, the Department has arranged for the CBC fees to be deducted from your Shares payment, which will appear as an itemized deduction on your check stub. To initiate the process, you must complete and return the attached authorization form.

All Other Licensees:

- For all providers who do not serve children in the Wisconsin Shares program, or those who do not authorize automatic deduction from the Wisconsin Shares payment, you will be sent an invoice for the required CBC fees.

Failure to comply with the CBC law may result in actions including, but not limited to, enforcements such as orders, forfeitures or revocation of your license.

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Annual requirements under the new Background Information Disclosure (BID) form process

For Licensed Group Child Care Centers and Day Camps:

- The licensee must complete and submit a BID form for the licensee.
- The licensee must obtain and submit a completed BID form for each household member 12 years of age and older.
- The licensee must obtain and submit a completed BID form for each caregiver under 18 years of age.
- The licensee must make the necessary number of copies of the attached BID form. Additional BID forms can be printed online from the website: <http://dhs.wisconsin.gov/forms/F8/F82064.pdf> .
- All BID forms must be returned to the address listed below no later than **February 8, 2010**.
- Failure to return the BID forms by the due date may result in an enforcement action affecting your license.

For Licensed Family Child Care Centers:

- The licensee must submit a completed BID form for the licensee.
- The licensee must obtain and submit a completed BID form for each household member 12 years of age and older.
- The licensee must make the necessary number of copies of the attached BID form. Additional BID forms can be printed online from the website: <http://dhs.wisconsin.gov/forms/F8/F82064.pdf> .
- All BID forms must be returned to the address listed below no later than **February 8, 2010**.
- Failure to return the BID forms by the due date may result in an enforcement action affecting your license.

Reminder: Licensees are required to report to the Department by the Department's next business day any known convictions, pending charges or other offenses of the licensee, employees / providers, household members or other person subject to the CBC law which could potentially relate to the care of children in care of the center or activities of the center.

Return Address: Please return all BID forms to the following address no later than **February 8, 2010**:

Division of Early Care and Education
Caregiver Background Check Unit, Floor 2
PO Box 8916
Madison, WI 53708-8916

If you are required to conduct CBCs on employees, expect a letter in the next few weeks with further information on how to handle employee CBCs under the revised law.

If you have any questions about the changes to the BID form process, please contact your regional office.

You may obtain additional information regarding the new CBC process at the following website:
<http://dcf.wisconsin.gov/childcare/licensed/CBC.HTM> .

Attachments: Background Information Disclosure Form
Background Information Disclosure Return Form + WI Shares Deduction Authorization Form
Updated Crimes List

BACKGROUND INFORMATION DISCLOSURE (BID)

Completion of this form is required under the provisions of Chapters 48.685 and 50.065, Wis. Stats. Failure to comply may result in a denial or revocation of your license, certification, or registration; or denial or termination of your employment or contract. Refer to the instructions (F-82064A) on page 1 for additional information. Providing your social security number is voluntary; however, your social security number is one of the unique identifiers used to prevent incorrect matches.

PLEASE PRINT YOUR ANSWERS.

Check the box that applies to you.

- Employee / Contractor (including new applicant) Household member / lives on premises - but not a client
- Applicant for a license or certification or registration (including continuation or renewal) Other – Specify:

NOTE: If you are an owner, operator, board member, or non client resident of a Division of Quality Assurance (DQA) facility, complete the BID, F-82064, and the Appendix, F-82069, and submit both forms to the address noted in the Appendix Instructions.

Name – (First and Middle)	Name – (Last)	Position Title (Complete only if you are a prospective employee or contractor, or a current employee or contractor.)		
Any Other Names By Which You Have Been Known (Including Maiden Name)		Birth Date	Gender (M / F)	Race
Address			Social Security Number(s)	
Business Name and Address - Employer or Care Provider (Entity)				

SECTION A - ACTS, CRIMES, AND OFFENSES THAT MAY ACT AS A BAR OR RESTRICTION	YES	NO
<p>1. Do you have any criminal charges pending against you or were you ever convicted of any crime anywhere, including in federal, state, local, military and tribal courts?</p> <p>➤ If Yes, list each crime, when it occurred or the date of the conviction, and the city and state where the court is located. You may be asked to supply additional information including a certified copy of the judgement of conviction, a copy of the criminal complaint, or any other relevant court or police documents.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2. Were you ever found to be (adjudicated) delinquent by a court of law on or after your 10th birthday for a crime or offense? (NOTE: A response to this question is only required for group and family day care centers for children and day camps for children.)</p> <p>➤ If Yes, list each crime, when and where it happened, and the location of the court (city and state). You may be asked to supply additional information including a certified copy of the delinquency petition, the delinquency adjudication, or any other relevant court or police documents.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Has any government or regulatory agency (other than the police) ever found that you committed child abuse or neglect? A response is required if the box below is checked:</p> <p><input type="checkbox"/> (Only employers and regulatory agencies entitled to obtain this information per sec. 48.981(7) are authorized to, and should, check this box.)</p> <p>➤ If Yes, explain, including when and where it happened.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>4. Has any government or regulatory agency (other than the police) ever found that you abused or neglected any person or client?</p> <p>➤ If Yes, explain, including when and where it happened.</p>	<input type="checkbox"/>	<input type="checkbox"/>

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SECTION A (continued)	YES	NO
5. Has any government or regulatory agency (other than the police) ever found that you misappropriated (improperly took or used) the property of a person or client? ➤ If Yes , explain, including when and where it happened.	<input type="checkbox"/>	<input type="checkbox"/>
6. Has any government or regulatory agency (other than the police) ever found that you abused an elderly person ? ➤ If Yes , explain, including when and where it happened.	<input type="checkbox"/>	<input type="checkbox"/>
7. Do you have a government issued credential that is not current or is limited so as to restrict you from providing care to clients? ➤ If Yes , explain, including credential name, limitations or restrictions, and time period.	<input type="checkbox"/>	<input type="checkbox"/>
SECTION B – OTHER REQUIRED INFORMATION	YES	NO
1. Has any government or regulatory agency ever limited, denied, or revoked your license, certification, or registration to provide care, treatment, or educational services? ➤ If Yes , explain, including when and where it happened.	<input type="checkbox"/>	<input type="checkbox"/>
2. Has any government or regulatory agency ever denied you permission or restricted your ability to live on the premises of a care providing facility? ➤ If Yes , explain, including when and where it happened and the reason.	<input type="checkbox"/>	<input type="checkbox"/>
3. Have you been discharged from a branch of the US Armed Forces, including any reserve component? ➤ If yes, indicate the year of discharge: _____ ➤ Attach a copy of your DD214 if you were discharged within the last 3 years.	<input type="checkbox"/>	<input type="checkbox"/>
4. Have you resided outside of Wisconsin in the last 3 years? ➤ If Yes , list each state and the dates you lived there.	<input type="checkbox"/>	<input type="checkbox"/>
5. Have you had a caregiver background check done within the last 4 years? ➤ If Yes , list the date of each check, and the name, address, and phone number of the person, facility, or government agency that conducted each check.	<input type="checkbox"/>	<input type="checkbox"/>
6. Have you ever requested a rehabilitation review with the Wisconsin Department of Health Services, a county department, a private child placing agency, school board, or DHS designated tribe? ➤ If Yes , list the review date and the review result. You may be asked to provide a copy of the review decision.	<input type="checkbox"/>	<input type="checkbox"/>

A “NO” answer to all questions does not guarantee employment, residency, a contract, or regulatory approval.

I understand, under penalty of law, that the information provided above is truthful and accurate to the best of my knowledge and that knowingly providing false information or omitting information may result in a forfeiture of up to \$1,000.00 and other sanctions as provided in DHS 12.05 (4), Wis. Adm. Code.

SIGNATURE	Date Signed
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Updated Caregiver Background Checks
Crimes Table
(Based on 2009 revision to s. 48.685 Wis. Stats)

Note: The legislature modified the Caregiver Background check section of the Wisconsin Statutes in early November 2009. The resulting law (2009 Wisconsin Act 76) was signed by the Governor on Nov 13, 2009, published on Nov 25 and will take effect on February 1, 2010.

Statute	Offense	Categorization prior to 2/1/10	Categorization after 2/1/10
125.075 (1)	Dispensing alcohol to a person under age 18 resulting in injury or death	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
125.085 (3) (a) 2.	Make, alter, duplicate ID for money or compensation	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
125.105 (2) (b)	Impersonate or abet impersonation of an inspector, agent or employee of Dept of Revenue or Justice	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
125.66 (3)	Make or rectify intoxicating beverage without a permit	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
125.68 (12)	Recover, use, conceal or dispose of alcohol from denatured alcohol	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
346.63 (1), (2), (5) or (6)	Operating or causing injury by intoxicated use of a motor vehicle (Felony conviction only)	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
940.01	1 st degree intentional homicide	Bar with rehabilitation	Permanent Bar
940.02	1 st degree reckless homicide	Bar with rehabilitation	Permanent Bar
940.03	Felony Murder	Bar with rehabilitation	Permanent Bar
940.05	2 nd degree intentional homicide	Bar with rehabilitation	Permanent Bar
940.06	2 nd degree reckless homicide	Not on list	Permanent Bar
940.09	Homicide by intoxicated use of vehicle or firearm	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
940.12	Assisting suicide	Bar with rehabilitation	Bar with Rehabilitation
940.19 (2) – (6)	Battery (Felony conviction only) if victim is the spouse of the person convicted	Not on list	Permanent Bar
940.19 (2), (4), (5) (6)	Substantial or Aggravated Battery (Felony conviction only)	Bar with rehabilitation	Bar for 5 years after completion of probation, parole, or extended supervision.
940.20 (1) or (1m)	Battery, if the victim is the spouse of the person convicted	Not on list	Permanent Bar
940.20	Battery: special circumstance	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
940.203	Battery or threat to a judge	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.

Statute	Offense	Categorization prior to 2/1/10	Categorization after 2/1/10
940.205	Battery or threat to a Dept. of Revenue employee	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
940.207	Battery or threat to Commerce or Workforce Development employee	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
940.21	Mayhem	Not on list	Permanent Bar
940.22 (2) or (3)	Sexual exploitation by therapist; duty to report	Bar with rehabilitation	Bar with rehabilitation
940.225 (1), (2) or (3)	1 st , 2 nd , 3 rd degree sexual assault	Bar with rehabilitation	Permanent Bar
940.23	Reckless Injury	Not on list	Permanent Bar
940.25	Injury by intoxicated use of a vehicle	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
940.285 (2)	Abuse of vulnerable adults (Misdemeanor or Felony conviction)	Bar with rehabilitation	Bar with rehabilitation
940.29	Abuse of residents of a penal facility	Bar with rehabilitation	Bar with rehabilitation
940.295	Abuse or neglect of patients & resident (Misdemeanor or Felony conviction)	Bar with rehabilitation	Bar with rehabilitation
940.302 (2) if s. 940.302 (2)(a) 1.b. applies	Trafficking for a commercial sex act	Bar with rehabilitation	Bar with rehabilitation
940.305	Taking hostages	Not on list	Permanent Bar
940.31	Kidnapping	Not on list	Permanent Bar
941.20 (2) or (3)	Endangering safety with use of a dangerous weapon	Not on list	Permanent Bar
941.21	Disarming a peace officer	Not on list	Permanent Bar
942.09 (2)	Representations depicting nudity (Felony conviction only)	Not on list	Bar with rehabilitation
943.10 (2)	Armed burglary or burglary with battery	Not on list	Permanent Bar
943.201	Identity Theft	Not on list	Permanent Bar for licensee or certified provider only
943.203	Theft of an entity's identity	Not on list	Permanent Bar for licensee or certified provider only
943.23 (1g)	Operating a motor vehicle without the owner's consent while possessing a dangerous weapon	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
943.32 (2)	Robbery with a dangerous weapon	Not on list	Permanent Bar
943.38 (1) or (2)	Forgery (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only

Statute	Offense	Categorization prior to 2/1/10	Categorization after 2/1/10
943.34 (1)	Receiving stolen property (financial transaction card) (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.395 (1)	Fraudulent insurance or employee benefit program claim (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.41 (3) (e), (4) (a), (5), (6) or (6m)	Financial transaction card crime – fraudulent use of a financial transaction card (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.45 (1)	Theft of telecommunications service (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.455 (2)	Theft of commercial mobile service (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.46 (2)	Theft of video service (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.47 (2)	Theft of satellite cable programming (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.50 (1m)	Retail theft (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
943.70 (2) (a) or (am) or (3) (a)	Computer crime (Felony conviction only)	Not on list	Permanent Bar for licensee or certified provider only
Any offense under s. 943 (4) Stats.	An Offense under subch. IV of s. 943 Wis. Stats. (crimes against a financial institution) that is a felony	Not on list	Permanent Bar for licensee or certified provider only
948.22 (2)	Failure to support	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision unless the person has paid all arrearages due and is meeting his or her current support obligation
948.51 (2)	Hazing if it results in great bodily injury or death (Felony conviction only under 948.51 (3) (b) or (c))	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
Any offense under s. 948 Stats	An Offense under s. 948 Wis. Stats. (crimes against children) that is a felony except for 948.22 (2) or 948.51 (2)	Not on list	Permanent Bar
Any offense under s. 961 Stats. (or s. 161 Stats.)	An Offense under s. 961 Wis. Stats. (uniform controlled substances act) that is a felony	Not on list	Bar for 5 years after completion of probation, parole, or extended supervision.
Other Offenses	Finding by a governmental agency of neglect or abuse of a client, or of misappropriation of a client's property	Bar with rehabilitation	Bar with rehabilitation

Statute	Offense	Categorization prior to 2/1/10	Categorization after 2/1/10
Other Offenses	Find by a governmental agency of child abuse or neglect	Bar with rehabilitation	Bar with rehabilitation
Other Offense	Providing false information to or intentionally withholding information related to the caregiver background check from DCF, a county, contracted agency or a school board or other agency.	Not on list	Permanent Bar
Other Offense	Fraudulent activity as a participant in Wisconsin Works Program including as a recipient of child care subsidy or AFDC, Medical assistance, food stamp benefits, SSI, Badger Care	Not on list	Permanent Bar

Note: Any comparable offense or conviction under federal or another state’s law has the same categorization as crimes and offenses included on this list.