

Important Changes to Licensed Child Care Background Checks Beginning Fall 2018

The Child Care and Development Block Grant (CCDBG) Act of 2014 sought to make child care safer by ensuring that individuals working with or in proximity to children have not committed violent crimes, child abuse, or sexual offenses. The new federal law requires states to establish and manage state-administered background checks for individuals who apply for a child care license, reside in a child care home, or work in a child care center.

Below are frequently asked questions (FAQs) relating to the background check changes beginning October 1, 2018.

Question	Answer
Who conducts background checks?	<p>Starting October 1, 2018, the Department of Children and Families (DCF) conducts all background checks for applicants, licensees, household members, and employees (including practicum students) of a child care center.</p> <p>Once DCF determines a person's eligibility to reside or work in a child care center, the individual and program are notified by DCF.</p>
Who is subject to the background check requirements?	<p>Applicants, licensees, adult household members, and caregivers are subject to a background check. Volunteers may be required to complete a background check if they are used in meeting staff/child ratios or have direct contact with and unsupervised access to children in care.</p> <p>In addition to individuals providing care and supervision to children, all employees, contractors, and student teachers working in regulated child care settings are also subject to background checks.</p> <p>Minor household members age 10-17 are subject to CPS/CAN checks. In some instances, minors may be subject to a criminal background check.</p>
If a student is in a practicum for less than 60 days, is a background check still required?	Yes. Any student who is placed at a child care center for a practicum, regardless of the timeframe of the practicum, is subject to a background check.
Who implements the new procedures for background checks?	It is the child care provider's responsibility to ensure their employees have the necessary background checks completed. Although higher education entities are not required to request and obtain the background checks on their practicum students for the child care center, it makes the students more marketable to have this requirement completed prior to being placed at a center.
How do I request a background check on practicum students?	You will need a provider number in order to gain access to the Child Care Provider Portal (CCPP) and submit requests for background checks. Starting <u>October 1, 2018</u> , fill out the Program Provider Number Request (https://dcf.wisconsin.gov/childcare/provider-number-request) form to obtain a

	<p>provider number. Once DCF creates a provider number, you will receive an email with your provider number and instructions on how to request access to the CCPP. Instructions for creating a CCPP account can also be found at https://DCF.wisconsin.gov/childcare/provider-portal/ccpp-access (follow the instructions for child care providers and center staff).</p> <p>Please note: Some higher education entities may already have a provider number because they operate a licensed child care program. You will use the same provider number, but will need a new location number to request background checks for students placed at other child care centers for their practicum. Please fill out this form to obtain a new location number for your program. Do not use the licensed child care program's CCPP account information to submit background check requests for practicum students.</p>
Where do we send students to obtain their fingerprints?	Students should obtain their fingerprints through a Fieldprint location. The cost for the fingerprint background check is \$37.75; this covers the cost of the fingerprint capture through Fieldprint (\$7.75) and the cost of the fingerprint background check (\$30.00). Individuals needing to complete a fingerprint appointment will be required to pay the \$37.75 online at the time the appointment is made.
Is the student responsible for the cost?	The law does not address who pays the cost of the background check. Entities may pay the fee associated with the fingerprint check or require the individuals pay the fee.
Is the BID form still required?	The Background Information Disclosure (BID) form will be replaced with the digital Background Check Request (BCR) form and is required for individuals age 10 and older. Programs will submit a BCR for students via the Child Care Provider Portal (CCPP). The digital form must be submitted initially and then reviewed again at the time the 5-year fingerprint check is due.
What is reviewed for a background check and how often are background checks conducted?	<p>Initially and every five years, a fingerprint-based FBI check is conducted for all individuals subject to a background check. In addition, DCF checks these databases:</p> <ul style="list-style-type: none"> • National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) • Wisconsin Department of Justice (DOJ) criminal history database • Wisconsin Child Abuse and Neglect (CAN) records • Wisconsin Sex Offender Registry (SOR) • Professional licenses maintained by the Department of Safety and Professional Services • Consolidated Court Automation Programs (CCAP) • Wisconsin's Caregiver Registry • Previous regulatory and program integrity history

	<ul style="list-style-type: none"> • Name-based search of the following in each state where the individual has resided in the past five years: <ul style="list-style-type: none"> ○ State criminal repository ○ State child abuse and neglect ○ State sex offender registry search • A criminal history search annually after the initial FBI check • Individuals who reside out of the state of Wisconsin are required to have an FBI check every year <p>An annual named-based check encompasses a review of:</p> <ul style="list-style-type: none"> • Wisconsin Department of Justice (DOJ) criminal history database • Wisconsin Child Abuse and Neglect (CAN) records • Wisconsin Sex Offender Registry (SOR) • Professional licenses maintained by the Department of Safety and Professional Services • Consolidated Court Automation Programs (CCAP) • Wisconsin's Caregiver Registry • WI DOJ Criminal History Database
How long will it take for a background check to be completed?	<p>A background check will begin once DCF receives the fingerprint check results. The background check results usually arrive electronically at DCF within 48-72 hours after the digital fingerprints have been submitted to DOJ. DCF will review the results and issue a preliminary eligibility determination. Preliminary eligibility is based on a review of the criminal history for convictions that would bar a person. A new individual may not begin working until preliminary eligibility is determined. These results will be available on the Child Care Provider Portal (CCPP) within 5-7 days after DCF receives the fingerprint check results.</p> <p>In most cases, final eligibility will be determined within 45 days. At times, the final eligibility may take longer. Once a final eligibility determination is made, DCF will inform the program and student whether the student is eligible to continue residing or working in a child care center.</p>
What does it mean to work under supervision?	<p>Supervision shall include at a minimum periodic direct observation by an individual with a DCF approved background check. The intent is that the person is supervised during the time they have access to children.</p>
How will we receive preliminary and final eligibility determination results?	<p>Preliminary and final eligibility determinations will be available on the Child Care Provider Portal (CCPP) and will also be mailed to the student and the program.</p>

If a student comes into our program and has received a preliminary eligibility determination, can they be placed in their practicum site?	Once an individual has received their preliminary eligibility determination, he or she can work at a child care center under supervision while the final background check eligibility determination is pending.
How do we share the background check results with the practicum placement site?	The technical college/program can provide the background check eligibility letter from DCF to the child care center for each student to keep on file, which would suffice meeting the licensing rules.
What offenses make an individual ineligible?	<p>The current list of offenses barring individuals from holding a license to operate, residing at, or working in a child care program can be found here: https://DCF.Wisconsin.gov/files/publications/pdf/5206.pdf.</p> <p>In addition to the offenses listed at the webpage above, the following will also bar an individual from holding a license to operate, residing at, or working in a child care center:</p> <ul style="list-style-type: none"> • Arson – felony • Registration or a requirement to be registered on a state or national sex offender registry
Will I (instructor) also need to submit a fingerprint Background Check Request (BCR) because I am the one who visits/observes students at their placement sites?	<p>This would depend on your position and access to the child care center. If you are a non-caregiver employee, meaning you provide services to a child care center as an employee or contractor and have unrestricted access to the children in care, then you would need a background check. Unrestricted access means:</p> <ol style="list-style-type: none"> 1) The ability to move freely throughout the premises, and 2) To have opportunities for interactions with children in care <p>If you don't meet the definition of a non-caregiver employee, then you wouldn't need a background check.</p>
When will current students be required to complete the fingerprint background check?	Beginning in January 2019, the Department will begin conducting background checks for all existing employees over the next 21 months. DCF will contact programs to notify them when it is time to conduct background checks on their existing students. Until DCF contacts programs, they should continue the background check process for existing students as normal. DCF will send updated instructions to individuals for completing a fingerprint-based background check. The instructions will include a Fieldprint code and a unique Reference ID that is to be used only for the individual named in the letter. If an individual schedules a Fieldprint appointment using another individual's Reference ID or enters an incorrect Reference ID, the background check cannot be processed, delaying the initial eligibility determination needed to begin working or residing in the center.