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Governor Scott Walker
Secretary Eloise Anderson

Division of Early Care and Education
Bureau of Early Care Regulation

November 4, 2016

BECR Memo 2016-05

To: Family Child Care Center Licensees
Group Child Care Center Licensees
Day Camp Licensees

From: Mark Andrews, Director
Bureau of Early Care Regulation

A handwritten signature in blue ink that reads 'Mark Andrews'.

RE: Caregiver Background Check Updates

This memo is to share updates related to caregiver background checks.

NEW ADMINISTRATIVE CODE DCF 12 and BACKGROUND INFORMATION DISCLOSURE FORM

Wisconsin Administrative Code DCF 12 took effect on August 1, 2016. DCF 12 contains rules related to caregiver background checks including the rehabilitation review process, conducting and documenting a substantially related investigation and reporting requirements. DCF 12 replaces DHS 12 which is currently included as an appendix to the licensing rules. DCF 12 can be found at this link:
http://docs.legis.wisconsin.gov/code/admin_code/dcf/001_020/12.

The Background Information Disclosure form has been revised. The new form can be found at this link:
<http://dcf.wisconsin.gov/cclicensing/cbc-forms-pubs>. Persons who already have a completed Background Information Disclosure form on file do not need to complete this revised form. Effective immediately, programs should supply a copy of the revised BID form to any person needing a caregiver background check beginning immediately.

REVISIONS TO THE CHILD CARE – BARRED OFFENSES TABLE

The revised Child Care Barred Offenses Table Effective November 1, 2016 is attached. Changes to the Barred Offenses Table are highlighted in yellow in the attached document. The Barred Offenses Table can also be found at this link on the web: <https://dcf.wisconsin.gov/files/ccregulation/cbc/crimes-table.pdf>.

Revisions to the Barred Offenses Table include:

- Convictions that require a substantially related investigation have been incorporated into the crimes table. Previously, these convictions were identified in a note on the last page of the crimes table. Information on how to complete a substantially related investigation is included in DCF 12.
- Beginning November 1, 2016, any person with a conviction that results in a 5-year bar after the completion of any sentence including probations, parole, extended supervision or discharge by the Dept. of Corrections will need to request rehabilitation review approval before the bar may be lifted.

Persons who held a license, resided in or were employed by a child care center as of November 1, 2016 with one of the specified convictions are exempt from this rehabilitation review requirement.

The Caregiver Background Checks Substantially Related Investigation Report which may be used to document a substantially related analysis can be found at this link:

<http://dcf.wisconsin.gov/files/forms/doc/2261.docx>.

Information on the rehabilitation review process is available on our website at this link:

<http://dcf.wisconsin.gov/rehab-review/rehab-review-main-page>.

SEX OFFENDER REGISTRY CHECKS

The caregiver law requires a check of the sex offender registry for any person on whom a background check is conducted. The National Sex Offender Registry can be found at this link:

<https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1>. We recommend documenting that the Sex Offender Check was completed either by putting a print out of the results in the individual's staff file or making a notation in the file.

Please contact your licensing specialist if you have questions regarding these changes.