

Important Changes to Child Care Background Checks Beginning Fall 2018

The Child Care 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 laws require 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 program.

The table below explains the differences between the current and new requirements:

Question	Current	New in Fall 2018
Who conducts background checks?	<p>The Department of Children and Families (DCF) conducts background checks on all applicants, licensees, adult household members and minor employees. In some instances, a background check may be conducted on minor household members.</p> <p>Licensees conduct checks on all caregiver employees in a child care program.</p>	<p>DCF conducts all background checks for applicants, licensees, adult household members, and employees of a child care center.</p> <p>Once a person's eligibility to reside or work in a child care program is determined, the individual and the program are notified by DCF.</p>
Who is subject to the background check requirements?	<p>Applicants, licensees, adult household members and other caregivers are subject to a complete background check.</p> <p>Minor household members age 12-17 are required to submit a Background Information Disclosure (BID) form. In some instances, minors may be subject to a criminal background check.</p>	<p>Applicants, licensees, adult household members and caregivers are subject to a background check. In addition to individuals providing care and supervision to children, all employees and contractors working in regulated child care settings are also subject to background checks.</p> <p>Minor household members age 10-17 are required to submit a Background Check Request form. In some instances, minors may be subject to a criminal background check.</p>
What is reviewed for a background check and how often are background checks conducted?	<p>The following name-based checks are performed annually:</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) •A check of the individual's professional licenses maintained by the Department of Safety and Professional Services • Wisconsin's Caregiver Registry •Information on any license denials or revocations based on a background check 	<p>Every 5 years, a fingerprint-based FBI check is conducted for all individuals subject to a background check. In addition, the following databases are checked:</p> <ul style="list-style-type: none"> • NCIC National Sex Offender Registry • Wisconsin Department of Justice criminal history database • Wisconsin CAN records • Wisconsin SOR • All the searches required under the current annual check <p>A name-based search of the following in each state in which the individual has resided in the past five years: state criminal repository, state SOR, and state CAN.</p>

Question	Current	New in Fall 2018
	<p>A one-time only fingerprint-based FBI check is conducted if the program participates in YoungStar.</p> <p>Information is obtained on an individual who currently resides in a state other than Wisconsin or has lived outside of Wisconsin within the last three years.</p>	<p>In years when a fingerprint search is not required, a check of the DOJ criminal history database, Wisconsin CAN records, Wisconsin SOR, and other databases identified in the current annual check is conducted.</p>
<p>How long will it take for a background check to be completed?</p>	<p>Checks for applicants and household members are conducted prior to a license being issued.</p> <p>Employers collect the BID form for all new employees and must conduct the complete background check within 60 days of the date the person started working with children. During the 60-day timeframe, caregivers may work under supervision.</p>	<p>A background check will begin once the results of the fingerprint check are received by DCF. The results from the background check usually arrive electronically at DCF within 48 to 72 hours after the background check request (including fingerprints) has been submitted to DOJ. DCF will review the results and issue a preliminary eligibility determination. Preliminary eligibility will be based on a review of the criminal history for convictions that would bar a person. An individual may not begin working until preliminary eligibility is determined. The individual would need to work under supervision until final eligibility is determined.</p> <p>In most cases a final eligibility determination will be made within 45 days. At times, the final eligibility determination may take longer.</p>
<p>What offenses make an individual ineligible?</p>	<p>Offenses barring individuals from holding a license to operate, residing at or working in a licensed child care program can be found here: https://dcf.wisconsin.gov/files/publications/pdf/5206.pdf</p>	<p>In addition to the offenses that currently bar individuals, the following will also bar an individual from holding a license to operate, residing at or working in a licensed child care program:</p> <ul style="list-style-type: none"> •Arson - Felony •Registration or a requirement to be registered on a state or national sex offender registry
<p>What are the fees for background checks?</p>	<p>Initial and annual name-based Wisconsin DOJ checks cost \$10.00.</p> <p>The one-time fingerprint-based check (required if a center participates in YoungStar) costs \$30.00 with an additional cost of \$7.75 for the digital capture of fingerprints using Fieldprint.</p>	<p>FBI fingerprint-based checks cost \$30.00 with an additional cost of \$7.75 for the digital capture of fingerprints using Fieldprint.</p>