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Governor Scott Walker
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Division of Early Care and Education
Bureau of Early Care Regulation

December 14, 2018

BECR Memo 2018-22

To: **Family Child Care Licensees**

From: Mark E. Andrews, Director
Bureau of Early Care Regulation

A handwritten signature in blue ink that reads "Mark E. Andrews".

RE: Background Check Update

FEDERAL REQUIREMENTS HAVE CHANGED

In 2014, with the reauthorization of the Child Care and Development Block Grant (CCDBG), the Department of Children and Families (DCF) began planning for changes related to background checks required for regulated child care programs. These changes require the DCF to perform fingerprint-based background checks on all individuals working or residing in regulated child care programs, including licensees, household members, caregivers and noncaregiver employees.

As of October 1, 2018, DCF has begun to perform the federally mandated fingerprint-based background checks on all **NEW** family child care licensees, applicants, household members, caregivers and noncaregiver employees. It is important to note that even if you or someone working for you has not needed a background check in the past, they now might. Please examine our resources section below for assistance in determining who now needs a check.

BACKGROUND CHECKS FOR NEW LICENSEES, HOUSEHOLD MEMBERS, CAREGIVERS AND NONCAREGIVER EMPLOYEES OF FAMILY CHILD CARE PROGRAMS

As of October 1, 2018, all new family child care licensees, household members, caregivers and noncaregiver employees are required to undergo a fingerprint-based background check, performed by DCF, to establish eligibility to work or reside in a child care center. Background checks can be requested through the Child Care Provider Portal (CCPP). A link to information about the CCPP is located in the resources section below.

DCF has already begun successfully receiving and processing background check requests for new individuals across the state. Please examine the resources section below for information about who qualifies as a household member, caregiver, or noncaregiver employee, as well as a link to step-by-step checklists that can be followed to ensure individuals goes through the background check process correctly.

BACKGROUND CHECKS FOR CURRENT LICENSEES, HOUSEHOLD MEMBERS, CAREGIVERS AND NONCAREGIVER EMPLOYEES BEGINNING JANUARY 1, 2019

Starting on January 1, 2019, DCF will begin conducting fingerprint-based background checks on all existing family child care licensees, household members, caregivers, and noncaregiver employees who began working or living at a center before October 1, 2018. To ensure timely processing of the large number of anticipated background checks, DCF will be conducting them in small batches. Family child care programs will receive a 60 day notice, and a 30 day notice, prior to receiving the fingerprint instruction letter outlining steps their licensees, household members, caregivers, and noncaregiver employees must follow to undergo the required background checks.

PROVIDERS WHO HAVE NEVER HAD A FINGERPRINT-BASED BACKGROUND CHECK

Providers who have not participated in YoungStar or who have not received Wisconsin Shares have not been required to undergo a fingerprint-based background check. As all caregivers and noncaregiver employees are now required to undergo fingerprint-based background checks per the CCDBG, this will be the first group of current providers to undergo the new background check process. Providers will receive 60 and 30 day notifications before the background checks begin. They will then receive a fingerprint instruction letter outlining the next steps individuals need to take to begin the background check process. A memo will be sent to these providers in late December explaining the process in more detail.

FBI FEE INCREASES EFFECTIVE JANUARY 1, 2019

The FBI has increased their fee by \$1.25 due to the staffing and labor costs of performing background checks. This will result in an increase of the total cost collected by Fieldprint when an individual schedules their fingerprint appointment. The cost will continue to be \$37.75 until January 1, 2019, at which point it will increase to \$39.00.

CONCERNS AND QUESTIONS

DCF has received multiple requests from providers to answer a few specific questions, the questions and answers are listed below:

The new process includes multiple new letters and communications, which letter allows an employee, caregiver, or household member to begin employment/residence at a program?

Individuals who have received their *Preliminary Background Check - Eligibility* notice may begin residing or working at a program as long as they are under periodic direct observation by someone who has had a DCF-approved background check. It is important to note the preliminary eligibility letter is different than the Fingerprint Instruction Letter. Preliminary Eligibility will not be received until after an individual's fingerprints are submitted and DCF has reviewed their criminal record for barred offenses. A *Final Background Check - Eligibility* notice will be provided after the complete background check has been conducted.

Should a provider continue to run the annual DOJ check on their employees?

Once DCF has processed an individual through the new fingerprint-based background check system, DCF will manage the annual DOJ check for the provider. Annual DOJ checks are not currently required to be ran by providers for their caregivers and noncaregiver employees. However, due to the changes in background check requirements, it is possible that an individual could go over a year without a DOJ name-based check. Because of this, DCF suggests that providers continue to perform their annual DOJ name-based checks as usual for any employee who has not yet undergone the new background check process.

Who is responsible for paying the background check fees?

The new law does not specify who is responsible for the fees. Providers are free to adjust their policy to address who will be responsible for paying for the fees. It is important to note that no matter who is responsible for the payment, an appointment cannot be scheduled without paying the fee on the Fieldprint site.

HELPFUL LINKS AND RESOURCES

The Child Care Provider Portal is a vital tool for completing the new background check process. Information on the portal can be found here:

<https://dcf.wisconsin.gov/childcare/provider-portal/info>

DCF has developed a web page that contains information on the new background checks process. We encourage licensed family child care operators to visit the web page frequently to learn more about the coming changes. The web page can be found here:

<https://dcf.wisconsin.gov/cclicensing/cbc>

Checklists with step-by-step instructions for performing background checks can be downloaded from the “Information and Training Materials” tab located here:

<https://dcf.wisconsin.gov/cclicensing/cbc>

An interactive web tool for assistance in deciding who needs a background check can be found here:

<https://dcf.wisconsin.gov/ccregulation/background-check>

More information will be coming as we continue to perform background checks. If you have not yet signed up to receive DCF emails you can subscribe here:

<https://dcf.wisconsin.gov/childcare/email-signup>