



201 East Washington Avenue, Room E200
P.O. Box 8916
Madison, WI 53708-8916
Telephone: 608-421-7550
Fax: 608-422-7156
WRS: 711

Governor Scott Walker
Secretary Eloise Anderson

Division of Early Care and Education
Bureau of Early Care Regulation

December 14, 2018

BECR Memo 2018-23

To: **License Exempt Public School Programs**

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 caregivers and noncaregiver employees of license exempt public school programs participating in YoungStar. These changes require the DCF to perform fingerprint-based background checks on all caregivers and noncaregiver employees of these programs.

As of October 1, 2018, DCF has begun to perform the federally mandated fingerprint-based background checks on all **NEW** caregivers and noncaregiver employees of license exempt public school child care programs participating in YoungStar. Under the new guidelines, contractors may now qualify as caregivers or noncaregiver employees. It is important to note that even if you or someone working with 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 CAREGIVERS AND NONCAREGIVER EMPLOYEES OF LICENSE EXEMPT PUBLIC SCHOOL CHILD CARE PROGRAMS

As of October 1, 2018, all new caregivers and noncaregiver employees in license exempt public school child care programs are required to undergo a fingerprint-based background check, performed by the DCF. Background checks can now 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 caregiver or noncaregiver employee and a link to step-by-step checklists that can be followed to ensure individuals go through the background check process correctly.

BACKGROUND CHECKS FOR CURRENT CAREGIVERS AND NONCGAREGIVER EMPLOYEES BEGINNING JANUARY 1, 2019

Starting on January 1, 2019, DCF will begin conducting fingerprint-based background checks on all existing caregivers and noncaregiver employees of license exempt public school programs whose began working before October 1, 2018. To ensure timely processing of the large number of anticipated background checks, DCF will be conducting them in small batches. Public school programs will receive a 60 day notice, and a 30 day notice, prior to receiving the fingerprint instruction letter outlining steps individuals must follow to undergo the required background checks.

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 a caregiver or noncaregiver employee to begin employment 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 is responsible for paying for the fees. It is important to note, that no who is responsible for 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 public school child care programs 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 “Background Check Checklists” 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>