



Caregiver Background Unit
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Governor Tony Evers
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Division of Early Care and Education
Bureau of Early Care Regulation

June 11, 2019

BECR Memo 2019-09

To: **Licensed Day Camps and Group Child Care Providers**

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

A handwritten signature in blue ink, appearing to read "Mark E. Andrews", with a horizontal line underneath.

RE: Child Care Background Checks – ACTION REQUIRED

PREVIOUS MEMOS

In the last year, the Department of Children and Families (DCF) has released multiple memos outlining the various steps we have taken to address the changing federal requirements attached to the Child Care Development Block Grant (CCDBG). These memos are located here: <https://dcf.wisconsin.gov/ccregulation/memos> and should be reviewed if you are unfamiliar with the recent changes. These memos are issued pursuant to §48.686, Wis. Stats.

BACKGROUND CHECK NOTICES ARE NOW BEING SENT TO PROVIDERS

All providers should now anticipate background check notices arriving both in their mail, and in their child care provider portal account. These letters will have the title of **BACKGROUND CHECK NOTICE** and will inform the provider they have been selected to bring all of their staff in compliance with the new background checks.

Providers will be given a background check notice up to 60 days and then again up to 30 days before DCF will require them to run a new DCF run fingerprint background check on all their staff who began employment or residence with their business prior to October 1, 2018. The notice will include the exact date for that provider to begin getting these checks ran. It is important for providers to remember:

- DCF will not give a Fieldprint number or instructional letter for these individuals until the date listed on their background check notice.
- The Fieldprint information will be available in the “communications” module in the Child Care Provider Portal. This information will not come by email.
- Providers have 30 days from the date listed on their notice to have all their individuals submitted for DCF fingerprint background checks.
- Providers must submit a Background Check Request form for every individual that requires a DCF run fingerprint-based background check, even if that individual has filled out a BID in the past.
- Providers should make sure that all individual information (e.g. home address) is accurate and complete in child care provider portal or on the manual Background Check Request form submitted. If this information is not complete or a Background Check Request form not submitted, then no Fieldprint number or instructional letter will be mailed out.

BACKGROUND CHECKS ARE GETTING FASTER

DCF is happy to announce that the average time for a background check has been reduced to 26 working days from time of fingerprint-submittal to the final eligibility decision. The majority of background checks are being completed in a much shorter timeframe, however, background checks on individuals who have resided out of state can require more time. DCF is working both internally and with other states to make our processing time even shorter.

WEBSITE UPDATES

At the end of February we asked over 1,000 providers to give us feedback on our new background check rollout. One of the largest concerns providers voiced was the difficulty of navigating the background check-related web pages. In response, we have changed the language of our background check webpages to be more direct, and made getting to answers and tools on our website easier. We encourage all providers to go to <https://dcf.wisconsin.gov/ccbgcheck> to see these updates.

SUPERVISION FOR INDIVIDUALS WITH PRELIMINARY ELIGIBILITY

There has been some confusion about what kind of supervision is required for individuals who have preliminary eligibility. Supervision for someone with preliminary eligibility is defined as **Periodic Direct Observation**. This may look different for each child care provider, depending on the physical layout and staffing situation at each location. When providers are establishing a supervision policy for their program, they should keep the following in mind:

- **Periodic** means that something is regular and scheduled. Providers should know when the person providing supervision will be present with the individual, and ensure that this supervision occurs often and regularly.
- **Direct** means no use of camera, microphone, or other electronic media for observation. The supervision must occur in direct sight and sound of the individual with preliminary eligibility.
- The intent with this rule is that the person providing supervision can immediately interfere with any problematic behavior. It is important to keep access and ratio requirements in mind when developing supervisory procedures for the sake of background check supervision.

PORTAL AND PROCESS IMPROVEMENTS

Alongside website improvements, the biggest provider concerns established by our February survey were waiting for fingerprint instructional letters, and document organization. In July of 2019, DCF will be making many improvements to our portal. Among the improvements we are making, is allowing providers to get access to an individual's fingerprint letter (and Fieldprint code) at the time they submit the background check request form. Secondly, all documents for an individual will now be organized under the individual's profile. This will allow providers to find things like eligibility letters and fingerprint letters without scrolling through their entire document inbox. We hope this helps address the timing and convenience concerns that providers have voiced.

CORPORATIONS, DESIGNATED LICENSEES, AND BACKGROUND CHECKS

There have been many questions about requirements for background checks for corporations, or other programs who have a board of directors or chairmen. Licensees or license holders of a

program must undergo a DCF run FBI fingerprint-background check. It is possible a corporation has someone other than their board director, CEO or head chairman as a licensee. If this is the case, whoever is holding the license must undergo the new background check. If the board director, CEO or head chairman (or anyone else) holds the license for the child care provider, they must undergo a DCF run background check.

4K COLLABORATIONS AND SUBSTITUTE TEACHERS

DCF would like to remind all providers that ANY individual who acts as a caregiver is required to have undergone a DCF run background check before they reside or work with a child care provider. This includes teachers in 4k collaborations and any substitute teachers who are used by a provider in their classroom. DCF detailed 4k collaboration background check requirements in our previous memo and would like to remind providers that in most situations teachers from a 4k program working with child care providers will require a background check. For more information, see <https://dcf.wisconsin.gov/files/ccregulation/memos/2019-08.pdf>

INDIVIDUALS WITH PROSPECTIVE STATUS IN THE CHILD CARE PROVIDER PORTAL

As child care providers continue using the Child Care Provider Portal to request background checks for their employees, DCF has noticed an increase in individuals who are never moved from “prospective” status when their final eligibility determination is made. It is important that providers change an individual to either “Current” when hired, or “Not Employed” and add an end date if they decide not to hire the individual. This is important for two reasons:

1. The individual’s eligibility only lasts if they have been attached to a facility in the last 180 days. If they never leave prospective status, they will lose eligibility 180 days from their final eligibility determination.
2. Providers will still be charged for annual checks on individuals attached to their center with “Prospective” status.

These problems can only be avoided if an individual is set to the proper status by the programs they are attached to. DCF asks that providers please double check that the individuals in their Provider Portal profile have been set to the proper status.

HELPFUL LINKS AND RESOURCES

DCF has developed a web page that contains information and tools for going through the new background check process. We encourage all child care operators to visit the web page frequently to learn more about the process. The web page can be found here: <https://dcf.wisconsin.gov/ccbgcheck>

An updated FAQ answering common questions from providers has been created here: <https://dcf.wisconsin.gov/ccregulation/backgroundcheckfaq>

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>