



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 2019-10

To: **Certified 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 HAVE BEEN SENT TO PROVIDERS

All certified providers should have received two background check notices by mail and in their Child Care Provider Portal. These letters will have the title of **BACKGROUND CHECK NOTICE** and will inform the provider they need to bring themselves, household members age 10+ and any other individuals employed at their program in compliance with the new background checks.

Background Check Notices were sent up to 60 days and up to 30 days prior to the date providers are required to submit a Background Check Request Form (BCR) for all required individuals. The BCR is now required for providers and all caregivers, noncaregiver employees, and residents age 10 and older who were active in their program prior to October 1, 2018. The notices included the exact date the provider will need to submit a background check request by for each individual age 10 and older. It is important for providers to remember:

- DCF will not send the fingerprint instruction letter and Fieldprint reference codes 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 and by mail. This information will not come by email.
- Providers have 30 days from the date listed on their notice to submit BCRs for all individuals age 10 and older.
- Once the Background Check Request is submitted, DCF will mail a fingerprint instruction letter (on the date indicated in the background check notice) and the provider will be responsible for ensuring each individual age 18+ schedules and completes a Fieldprint fingerprint appointment within 30 days of the date indicated on the background check notice.

WEBSITE UPDATES

At the end of February we asked over 1000 providers to give us feedback 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 EMPLOYEES/VOLUNTEERS WITH PRELIMINARY ELIGIBILITY

If a certified provider has employees this information may be helpful. An individual may begin working under supervision in a certified child care program once they have received preliminary background check eligibility determination from DCF and approval from the certification agency. The individual must work under supervision until the department issues a final eligibility notice. 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 requirements in mind when developing supervisory procedures for the sake of background check supervision.

PORTAL AND PROCESS UPDATES

Alongside website improvements, the biggest provider concerns established by our February survey were waiting for fingerprint instructional letters, and document organization in the portal. 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 instruction letter (and Fieldprint code) at the time they submit the background check request form using the portal. 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 instruction letters without scrolling through their entire document inbox. We hope this helps add to the timing and convenience concerns that providers have voiced.

SUBSTITUTES

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 may begin to work with a child care provider. Any substitute used by a provider counts as a caregiver for the sake of background check requirements. It is also important to remember that emergency back-up providers are not substitute teachers. An emergency back-up provider is someone who provides assistance in the

event of unforeseen circumstances that call for immediate action, such as fire; tornado; flood; extreme outdoor heat or cold; loss of building service, including no heat, water, electricity or telephone; threats to the building or its occupants; lost or missing children; or a provider family situation, such as a medical emergency or illness. A substitute is someone who replaces the certified child care operator or staff in a school age program on a prearranged or planned basis.

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 prospective employees or household members, 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. Updating the status for prospective residents who move into or out of the home is also important. 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 providers 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>