To: DCF/DMCPS Administrator  
DCF Area Administrators  
Child Placing Agency Directors  
Child Welfare Agency Directors  
County Departments of Community Programs Directors  
County Departments of Human Services Directors  
County Departments of Social Services Directors  
Group Home Providers  
Tribal Social Service/Indian Child Welfare Directors  
Private Child Placing Agencies  
Residential Care Center Providers  
Shelter Care Providers  
Tribal Chairpersons

From: Wendy Henderson  
Administrator

Re: Fingerprint-Based Background Checks for Prospective Foster and Adoptive Parents: COVID-19 Pandemic Update

PURPOSE
This memo provides updated information on flexibility that has been provided with respect to the fingerprint-based background check requirements for prospective foster and adoptive parents due to the COVID-19 pandemic. The Department of Children and Families (DCF) Emergency Rule that was promulgated in spring 2020 that has provided flexibility to the fingerprint-based background check requirements for prospective foster and adoptive parents will expire, effective February 12, 2021.

BACKGROUND

States were provided authority under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §5121 et seq.) (Stafford Act) flexibility provisions issued by the federal Administration for Children and Families (ACF) to modify the requirements for the fingerprint-based background checks for prospective foster and adoptive parents required under federal law.
In May 2020, DCF promulgated Emergency Rule 2009, providing circumstances under which flexibility would be permitted as to the timeframe for the fingerprint-based background check requirements for prospective foster and adoptive parents.

INFORMATION SUMMARY
The authority to provide flexibility to the fingerprint-based background check requirements for prospective foster and adoptive parents under Emergency Rule 2009 will expire, effective February 12, 2021. With the expiration of this Act, all prospective foster and adoptive parents are required to have the fingerprint-based background checks conducted prior to the issuance of a foster home license or after a break in licensure per s. 48.685(2)(c) and DCF 56.055. Additionally, any foster home license that has been issued without the completion of the fingerprint-based background check due to the COVID-19 pandemic shall complete these checks as required under s. 48.685(2)(c) and DCF 56.055.

Local child welfare agencies may complete fingerprint-based background checks for prospective foster and adoptive parents through varying means, such as: partnering with local law enforcement agencies to capture fingerprints; utilizing a private entity (such as Fieldprint); or by training local child welfare agency staff to collect fingerprints themselves either electronically or on paper. The Department is not prescribing which of these methods must be used. However, the Department acknowledges that many local law enforcement agencies are unable to collect fingerprints at this time; therefore, agencies should consider alternative methods to collect fingerprints, including utilizing a private entity or collecting fingerprints themselves.

ACTION SUMMARY
Effective February 12, 2021, all prospective foster and adoptive parents are required to have the fingerprint-based background checks conducted prior to the issuance of a foster home license or after a break in licensure per s. 48.685(2)(c) and DCF 56.055. Additionally, any foster home license that has been issued without the completion of the fingerprint-based background check due to the COVID-19 pandemic shall complete these checks as required under s. 48.685(2)(c) and DCF 56.055.

CENTRAL OFFICE CONTACT: Out-of-Home Care Specialist Bureau of Permanency and Out-of-Home Care (414) 270-4728

MEMO WEB SITE: http://dcf.wisconsin.gov/memos