

POTENTIAL BARRIERS TO OBTAINING A CHILD CARE CENTER LICENSE

Child Care Background Checks

The Department of Children and Families is required to obtain completed and signed *Background Check Request (BCR)* forms from, and conduct child care background checks on, the person who is applying for a child care center license as well as any adult who lives on the premises of the proposed child care center. The child care background checks must be completed prior to issuance of a child care center license. Minor household residents age 10 and older are required to submit a completed and signed *BCR* form, which will be reviewed by the Department to determine if a child care background check needs to be conducted. A child care center license may be denied or restricted based on information obtained as part of a child care background check.

The Department is also responsible for conducting background checks on prospective child care employees, including caregiver and noncaregiver employees. Child care employees may not begin working in a child care program until the department has conducted the background check and issued an eligibility notice.

The Department conducts searches of the following databases, as part of the initial background check:

- Wisconsin Department of Justice criminal history
- Department of Health Services Integrated Background Information System
- Wisconsin Child Abuse and Neglect (CAN) Registry
- Name and address search of the Wisconsin Sex Offender Registry
- Fingerprint-based FBI search for all individuals subject to background check requirements, which includes a search of the National Crime Information Center Sex Offender Registry
- A name-based search of the following in each state in which the individual has resided in the past five years: state criminal repository, state sex offender registry, and state CAN registry
- Wisconsin Circuit Court Access records

Wis. Stat. § 48.686 lists crimes and offenses that may bar a person from holding a license to operate a child care center or from residing in or working for a child care program. The list of crimes that require some sort of bar to obtaining a license, residing in or working in a child care program can be found at <https://dcf.wisconsin.gov/files/publications/pdf/5206.pdf>. The Department may not issue a license if the applicant or a household resident has a conviction for a crime or other offense specified on the barred crimes list, and the licensee may not hire employees who have a barred offense on the list.

If the information from these sources indicates any arrests, convictions, or other offenses or actions that may be related to a person's ability to care for children or to operate a child care business, the Department will conduct an investigation to determine whether a license may be granted. The investigation will consist of a review of police reports, child abuse and neglect reports, court documents and other relevant information. Because each record must be obtained and reviewed prior to a final licensing decision, the investigation may take time to complete.

Additional information on the background check requirements, the process for requesting background checks, and information on how to apply for rehabilitation review approval is available on the department's website: <https://dcf.wisconsin.gov/rehab-review/rehab-review-main-page>

Tax Delinquencies

The Department searches tax records maintained by the Department of Revenue. The Department must deny an application for a child care center license if the Department of Revenue notifies the Department that the applicant has been certified liable for delinquent taxes under Wis. Stat. §71 and 77. See the Department of Revenue website for more information <https://www.revenue.wi.gov/Pages/FAQS/ise-occupa.aspx>.

Unemployment Insurance Contribution Delinquencies

The Department searches unemployment insurance contribution records maintained by the Department of Workforce Development. The Department must deny an application for a child care center license if the Department of Workforce Development notifies the Department that the applicant has been certified liable for delinquent unemployment insurance contributions under Wis. Stat. § 108.227. See the Department of Workforce Development website for more information <https://dwd.wisconsin.gov/ui/faqs/fraud.htm>.

Future Applications for a License

If an application for a child care license is denied, the Department of Children and Families may not process another application for a license for two years after the date the original application for a license was denied. If an application was denied or a child care certification was revoked by a certification agency, the Department may not process an application for a license for two years after the denial or revocation.

The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please contact (608) 266-3400 or the Wisconsin Relay Service (WRS) - 711 TTY). For civil rights questions, call (608) 422-6889 or Wisconsin Relay Service (WRS) – 711.