

## Best Practices in Child Care Comprehensive Background Checks

A primary objective of the Child Care and Development Block Grant Act of 2014 is to increase the health and safety protections for children in care. The law and regulations require state, territory, and Tribal Lead Agencies to conduct comprehensive background checks for child care staff members and prospective staff members.

While there have been challenges in implementing interstate checks, which include interstate criminal history checks, interstate sex offender registry checks, and interstate child abuse and neglect registry checks, many Lead Agencies have created websites and/or developed technological solutions to help streamline the process. Some examples are highlighted in this brief.



### Utah

Utah's Child Care Licensing [website](#) is comprehensive, informative, and includes easy-to-understand instructions on how an individual, either in state or out of state, can request background checks. In addition, Utah's website clearly outlines each background check component, the disqualifying crimes, as well as how to appeal the disqualifying decision of a background check.

Utah is one of the first states to implement a portable background check card. A card is issued when an individual passes the background check. Unless it has been more than 180 days since working or volunteering at a child care facility in Utah, a covered individual who passed the background check can work or volunteer at any child care facility in Utah after being associated with that facility. When it has been more than 180 days since working or volunteering at a child care facility in Utah, the individual must pass a new background check before becoming involved with children in care. Providers must associate covered individuals with their facility. Utah requires that background checks be completed annually.



### Ohio

Ohio Department of Job and Family Services [website](#) includes information, graphics, and weblinks regarding:

- The background check process overview, which includes a graphic showing the flow of information.
- Background check instructions for WebCheck, which outlines the Bureau of Criminal Investigation and FBI reason codes to be selected for fingerprints.
- The background check process for licensed, certified, and approved child care applicants,

providers, and programs. This document outlines the background check, update, actions, process (including appeals process), frequently asked questions, and helpful tips.

- Prohibitive convictions and lists disqualifying convictions and rehabilitation standards.



## Georgia

In addition to creating a background check [website](#) which describes the background check requirements, Georgia's Department of Early Care and Learning (DECAL) website also links to out-of-state contacts. The out-of-state contacts list maintained by the department has a dropdown menu for each state with contact and fee information and instructions.

The 2015 legislative session of the Georgia General Assembly approved House Bill 401 (HB 401). HB401 established a new entity called a "Support Center."

A Support Center is a business that provides potential employees for licensed child care programs but does not directly provide child care. Examples of types of Support Centers include temporary staffing agencies, universities, and independent contractors. A Support Center must register with DECAL to initiate the comprehensive background check process for an individual to be cleared for placement in a licensed child care program.



## Florida

Florida's Department of Children and Families is one of seven state agencies that use the statewide screening database called "The Clearinghouse." The Clearinghouse provides a single data source administered by the Agency for Health Care Administration for background screening results for persons screened for employment or licensure who provide services to children, the elderly, and disabled individuals. The Clearinghouse allows the results of criminal history checks to be shared among specific agencies when a person has applied to volunteer, be employed, be licensed (including as foster parents), or enter into a contract that requires a state and national fingerprint-based criminal history check. The Clearinghouse provides many benefits to providers, including reduced costs and up-to-date information. The Clearinghouse allows the results of criminal history checks to be shared among specified state agencies, thereby reducing duplicative screenings for individuals across multiple state agencies.

The [website](#) that describes the Clearinghouse also includes links to its training page, application request form, and instructions/guides on how to use the Clearinghouse.



## North Carolina

The North Carolina Department of Health and Human Services [website](#) on Child Care Criminal Background Checks outlines North Carolina's law, an application to initiate the background check, and the fees associated with background checks. In addition to the information provided, the site includes video tutorials for each step of the process.



## New Hampshire

New Hampshire Department of Health and Human Services [website](#) for background checks for child care personnel includes statutes, individuals required to complete background checks, links to required forms, and instructions on how to submit background checks. In addition, the site includes a step-by-step background check instructions video.

The site also includes a [link](#) to out-of-state abuse and neglect checks. The link provides information on individuals required to complete out-of-state abuse and neglect checks and forms for each state and territory that currently has a child abuse and neglect registry. When accessing the state's form through the link, information on where to return the check is pre-filled with the New Hampshire Child Care Licensing address, phone number, and point of contact.



## Hawaii

The Hawaii Department of Human Services' (DHS) partnership with the Hawaii Criminal Justice Data Center (HCJDC) began decades ago. Since then, Hawaii DHS has been conducting criminal background checks — both state and FBI fingerprint checks — for child care providers who are licensed or registered as well as exempt providers caring for children whose families are receiving child care subsidy. Hawaii has recently strengthened that relationship to complete the requirements of participating in HCJDC's state Rap Back Service and the FBI Rap Back Service. Hawaii's DHS already had access to the FBI fingerprint results, state criminal records, and the state sex offender registry results through HCJDC's online portal system, but Hawaii DHS recently executed a memorandum of agreement with HCJDC to allow for reimbursement of costs for data system modifications to include the National Crime Information Center National Sex Offender Registry (NCIC NSOR) results.

## Summary

Ensuring that state-specific policies and procedures are easily accessible to individuals requiring background checks is an important step to streamlining the process in completing interstate background checks. The websites mentioned in this brief also highlight the importance of interagency partnerships, as well as interstate partnerships.

The information presented in this brief, along with the contact list posted on the Child Care Technical Assistance Network [website](#), are web-based resources to help all Lead Agencies to comply with the comprehensive background checks requirements.

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