

MEMORANDUM

URGENT- REQUIRES IMMEDIATE ACTION

TO: Early Care and Education (ECE) and School-Age (SA)Centers
FROM: The Office of Child Care Licensing
DATE: August 12, 2009
SUBJECT: **Revised Criminal Background Check Procedures for Persons Seeking Employment**

There has been a change in Delaware Code Title 11, Chapter 85, Subchapter V pertaining to Criminal Background Checks for Child Care Providers. The process for using the **Consent to Release Criminal History and Child Protection Registry Information form** when a person had a fingerprint check within the past 5 years is no longer valid. **Specifically, all persons listed under #1 below shall be fingerprinted and the Procedures outlined below followed.**

Effective immediately the Consent to Release Criminal History and Child Protection Registry Information form will no longer be accepted by the Office of Child Care Licensing due to the above mentioned change.

CRIMINAL BACKGROUND CHECK PROCEDURES FOR ECE/SA CENTERS

1. Who Must Be Fingerprinted:
 - Any person 18 and older seeking employment at an ECE/SA Center,
 - Any person 18 and older changing employment from one ECE/SA Center to another
 - Any person 18 and older being rehired by an ECE/SA
 - Any person 18 and older seeking employment for compensation or any person 18 and older who for any reason has regular direct access to children at any ECE/SA, including but not limited to volunteers, substitutes, maintenance persons.
2. The person being hired shall schedule a fingerprint appointment with the Delaware State Police by calling 1-800-464-4357. (There is no fee for the fingerprinting.)
3. The ECE/SA Center shall provide the person with a completed ECE/SA **Center Verification Form** to take with them at the time of fingerprinting. This will be presented to the person taking the fingerprints. **ECE/SA Centers shall provide these forms only to persons they are hiring to work at that licensed site.**
4. After the fingerprints are obtained, the individual will receive a **Receipt/Verification of Fingerprints form** from the State Police as proof of being fingerprinted. This form shall be given to the ECE/SA Center and maintained in the individual's personnel file.
5. Delaware State Police will forward the criminal history results to the ECE/SA Centers and the Criminal History Unit.
6. The Criminal History Unit reviews the criminal history results and conducts a child protection registry check.
7. If the individual is on the child protection registry or there are concerns with the criminal history, the Criminal History Unit will contact the ECE/SA Center, and notify the Early Childhood or School-Age Administrator. The Licensing Specialist will also be notified.
8. Any child care provider who fails to comply with the fingerprinting requirements, shall be guilty of a Class A misdemeanor as prescribed in Delaware Code, Title 11, Chapter 42.

If you have further questions regarding these procedures, please contact Laura Dennis, Office of Child Care Licensing, Criminal History Specialist at 892-5800.