



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: May 8, 2017

TO: Child Day Centers, Family Day Homes, Voluntarily Registered Family Day Homes, Family Day Systems and homes approved by Family Day Systems, Religious Exempt Child Day Centers, centers and homes that are approved subsidy vendors but are not licensed or registered

FROM: Charlene Vincent, Director
Division of Licensing -Children's Programs

SUBJECT: Fingerprint based background checks for child day programs

This memo is the first of several memos related to the implementation of fingerprint based background checks. We don't have all the information yet, but we want to start sharing with you what we know. Legislation was passed during the 2017 General Assembly session requiring that child care providers undergo a fingerprint based national criminal history background check. The law, effective July 1, 2017, is attached to this memo.

Who needs fingerprint background checks?

If you are an applicant for licensure or voluntary registration, an agent of an applicant, a current employee, a current volunteer, or applicants for employment or for volunteering you will be required to have fingerprint based checks.

If you are a child care provider that is an approved subsidy vendor even if you are not licensed or registered, you will be required to have fingerprint based checks.

Anyone who currently submits a name based criminal background request will be required to submit a fingerprint based criminal background request. So, if you work in or with a child day center, in a family day home, in a voluntarily registered family day home, are part of a family day system, or work in a religiously exempt child day center, this means you.

The law covers new employees and volunteers as well as current employees and volunteers.

What: A fingerprint based background check is a check that requires you to submit your fingerprints to complete a national criminal history check. We are working to finalize a contract with a company where you can go to have your fingerprints taken. We will send out more information and what you need to do to be fingerprinted in a later memo.

Your prints will be sent to Virginia State Police and the FBI. If you do not have a criminal record, the FBI and Virginia State Police will notify the Virginia Department of Social Services (VDSS) Office of Background Investigation that there is no record found. The VDSS Office of Background Investigation will send a letter saying you are “eligible for employment”.

If you have a criminal record, the FBI and Virginia State Police will send your record to the VDSS Office of Background Investigation. Staff in that office will then screen your record to see if you have a barrier crime which is a crime that would prohibit you from working with children. If you have a barrier crime, a letter will be sent saying you are “not eligible for employment”.

When: We do not have a timeline for when we will begin fingerprint based checks. After a fingerprint vendor contract is awarded, VDSS will have to make changes to our information system and it is unknown how long that will take.

You will be given advance notice of when the fingerprint background checks process will begin. Please do not submit a fingerprint check to meet the background check requirement until VDSS instructs you to do so. Until that time, please continue to follow the criminal background check requirements you have been following.

Where: Once the fingerprint vendor has been selected, we will share the locations of fingerprinting sites with you. There will be fingerprinting sites all around the state that you can access.

Why: A fingerprint based background check is a better, more complete form of background check. A national fingerprint check covers criminal convictions from all states, and is a more effective background check to prohibit individuals with barrier crime convictions from working with children. We are dedicated to helping provide the safest environment for our children and this type of comprehensive check supports that.

As more information is available, we will share it with you. Thank you for the work you do with the children in Virginia.