

Overview of DCYF Early Learning Background Checks

January 2024

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Washington State Department of
CHILDREN, YOUTH & FAMILIES

Background Check Requirements

Child Care and Development Block Fund Grant Act (CCDF) [Public Law 113-186](#), codified at [42 U.S.C. § 9858](#) and [45 C.F.R. § 98.43](#)

✓ Implemented in [RCW 43.216.270](#) and [WAC 110-06-0070](#)

From CCDF Criminal background checks section 98.43: "Requirements, policies, and procedures to require and conduct criminal background checks for child care staff members (including prospective child care staff members) of all licensed, regulated, or registered child care providers and all child care providers eligible to deliver services for which assistance is provided under this part as described in [paragraph \(a\)\(2\)](#) of this section."

Who must have them?

- Early Childhood Education and Assistance Program/Head Start
- Family, Friends and Neighbors (FFN)
- Child care center staff, volunteers, and in-home child care providers



Background Check Requirements continued

- ❖ Any new child care staff, applicants, or volunteers may be on the premises if they are not in licensed child care space and not counted in ratio, not interacting with children, and not unsupervised with children.
 - This includes interviews, training, and hiring new staff.
- ❖ Early learning background check clearances are portable for other early learning purposes.
- ❖ Background checks are required at least every 5 years
- ❖ Any licensing application received by DCYF on, or after, Jan. 1, 2024, for child care and early learning applicants, must have an approved background check.



Background Check Waiver Timeline

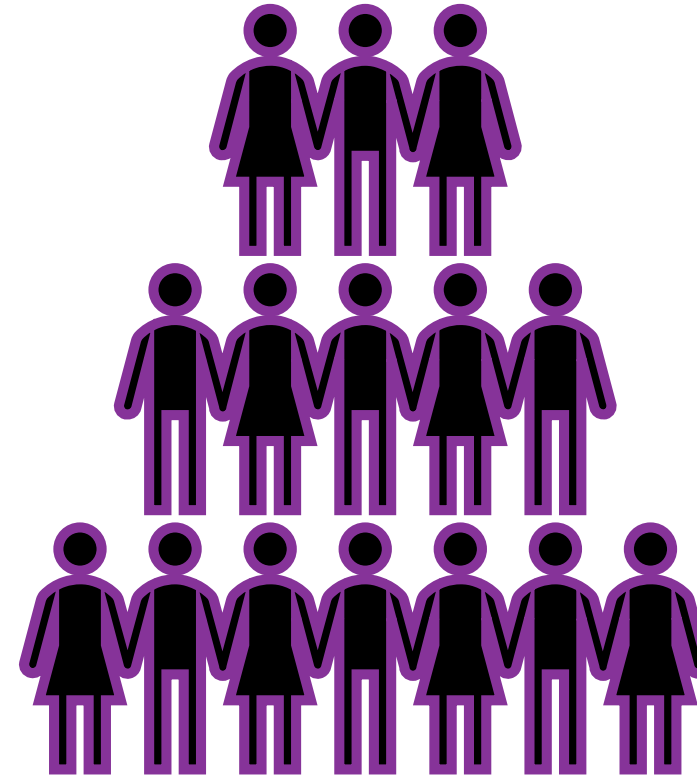


- **Oct 2018 - Feb 2020: ACF Office of Childcare (OCC) allowed waiver from new staff background check requirement.**
- **2019: DCYF submitted issue letter to OCC regarding requirements and requested relief.**
- **Feb 2020 – Oct 2021: ACF allowed COVID-19 waivers.**
- **Sept 2021: DCYF submitted issue letter to OCC requesting relief.**
- **Oct 2021: OCC declined relief and directed that no waivers on background check requirements are allowed. DCYF continued existing policy for new staff, due to the Governor’s Proclamation 20-31 and state of emergency.**
- **July 2022: State of emergency rescinded. DCYF continued providing relief beyond rescission until January 1, 2024.**



Background Check Developments

- October 2021: DCYF started completing suitability assessments on Early Learning applicants instead of automatically disqualifying.
- July 2022: DCYF now pays all background check fees, which reduces processing times and provides equitable application opportunities.
- July 2023: Background check renewal times increased from 3 to 5 years.
- January 2024: Pre-filed SB 5774 bill to have fingerprinting services in DCYF offices to expand fingerprint appointment availability.
- Ongoing: Upgrading system reporting capabilities, streamlining internal processes, and partnering with DSHS to reduce turnaround times.
 - Small improvements make a big difference and allow staff to process most background checks within an hour of receipt!



Background Check Components

- ❖ Child welfare history and founded findings of child abuse or neglect (CAN) made by DCYF or DSHS
- ❖ Self-disclosures of criminal or negative action history
- ❖ Conviction information from the Administrative Office of the Courts (AOC), Department of Corrections (DOC), Washington State Patrol (WSP), and the Federal Bureau of Investigation (FBI), if fingerprinted



- ❖ Negative actions issued by DCYF, DSHS, and the Department of Health (DOH)
- ❖ Sex offender registry
- ❖ Out-of-state CAN history and Interstate checks, when applicable
- ❖ Western Identification Network (WIN) conviction information, if fingerprinted



Background Check Results

In October 2021, DCYF started using the Secretary's List of Crimes and Negative Actions for Early Learning background check purposes. The list includes federal disqualifying crimes (CCDF) that DCYF must automatically disqualify and other crimes or negative actions that may relate directly to child safety, permanence or well-being but are eligible for an assessment.

The revised list allows for individualized, strength-based assessments, which include a thorough review of unique circumstances associated with each crime or negative action and evidence of changed behavior.



The majority of background check results have no record or no crimes/negative actions from the Secretary's List and are cleared within an hour of receipt in the system.

DCYF Suitability
Assessment
criteria from
WAC 110-06-
0070

- Whether the individual has obtained a Certificate of Parental Improvement (CPI) or Certificate of Restoration of Opportunity (CROP)
- The amount of time passed since pending charge, conviction or negative action;
- The seriousness of the pending criminal charge, conviction or negative action;
- The number, types and age of other pending criminal charges, convictions or negative actions;
- Age at time of pending criminal charge, conviction or negative action;
- Completion of services or other evidence of rehabilitation;
- The individual's role or purpose of the background check.



Suitability Assessment Process

The DCYF Suitability Assessment Unit process suitability assessments for child welfare applicants, early learning applicants, and state employees.



Suitability Assessment Specialists complete the assessments which include:

- Contacting requestors for feedback or references (personal or professional) provided by applicant.
- Reviewing child welfare and court databases, police reports, child abuse/neglect history, out-of-state history, etc.
- Interviewing applicants. The interview includes trauma-informed questions relevant to the applicant's history and evidence of changed behavior.
- Gathering collateral documents.
- Completing a formal, written assessment summarizing all of the information gathered.



Suitability Assessment Decisions



Suitability Assessment Specialists may approve the assessments with oversight from their supervisor.



Suitability Assessment Supervisors review all completed assessments and may issue final approvals.

If the assessment requires a higher review, the supervisor will forward to the Background Check Manager.



Background Check Manager may approve or deny assessments at their level. If an applicant is denied, a certified letter is mailed to them with instructions to appeal.



The decision is sent to the Early Learning Background Check Unit, who issues a final clearance or disqualification in the system, which is available in MERIT.



The average turnaround time for an EL suitability assessment is currently 13 days.



In 2023, 624 EL suitability assessments were completed and 95% passed.



Turnaround Time Data

Key Takeaways:

2023

- EL Background checks completed: 18,771
- Yearly average TAT: 12 calendar days

2024: TAT is off to a very strong start!

Month	Fewest Days for Completion	Greatest Days for Completion	Average Days for Completion	Total Entries
Jan-23	1	365	16	1774
Feb-23	0	323	15	1492
Mar-23	0	286	14	1724
Apr-23	0	262	14	1515
May-23	0	217	12	1752
Jun-23	0	204	13	1406
Jul-23	1	184	12	1225
Aug-23	1	152	10	2001
Sep-23	0	119	10	1999
Oct-23	1	93	10	1414
Nov-23	1	63	9	1381
Dec-23	1	32	7	1088
Jan-24	0	22	5	945



Contact Information

For general background check questions or status checks:

- DCYF.BackgroundCheck@dcyf.wa.gov
- 1-800-998-3898, option 4.

Other contact info:

- Meryl Stride, Provider Supports Administrator, meryl.stride@dcyf.wa.gov or 360-764-3964
- Mariah Fabiani, Background Check Manager, mariah.fabiani@dcyf.wa.gov or 253-260-0317
- Ann Lemieux, Background Check Operations Manager, ann.lemieux@dcyf.wa.gov or 509-302-3646

We want to help!