

Background Check Process for Licensed, Certified, and Approved Child Care Applicants, Providers, and Programs

Updated February 2019

Background

Background check requirements are outlined in chapters 5101:2-12, 5101:2-13, 5101:2-14, and 5101:2-18 of the Ohio Administrative Code. Individuals are required to submit a JFS 01175 "Request for a Background Check for Child Care" and complete the Ohio Bureau of Criminal Investigation (BCI) and Federal Bureau of Investigation (FBI) fingerprints and have the results sent electronically to the Ohio Department of Job and Family Services (ODJFS) from the Webcheck agency.

Update

Enhanced functionality in the Ohio Professional Registry (OPR) now allows the JFS 01175 to be submitted electronically in the OPR. Individuals still have the option of emailing the JFS 01175 to the background check mailbox at CCBackgroundCheck@jfs.ohio.gov but are encouraged to use the OPR.

Individuals must also submit their fingerprints at a WebCheck agency and have the results sent electronically to the ODJFS. For JFS 01175 forms submitted electronically in the OPR, the JFS 01176 "Program Notification of Background Check Review for Child Care" will be available to the program electronically in the OPR on their program dashboard. Beginning Fall 2019, all JFS 01175 forms must be submitted via the OPR.

Programs are not permitted to create accounts and submit or sign the JFS 01175 on behalf of the individual. Profiles must be owned and controlled by the individual staff or employee. All programs will also be required to link all their current employees to their program in the OPR beginning Fall 2019. Programs not in Step Up To Quality (SUTQ) should begin this process now to ensure compliance by next fall.

Actions

ODJFS will verify and review all background check results to determine if individuals are:

- Eligible for licensure;
- Certification;
- Employment with a licensed program;
- Employment with a child day camp approved to provide publicly funded child care (PFCC) services;
- Employment with an Ohio Department of Education (ODE) licensed program approved to provide PFCC services; or
- Residence within a licensed family child care (FCC) home.

ODJFS determines eligibility for continued ownership, employment, or residency by reviewing results from the following background check components:

- BCI
- National sex offender registry
- Child abuse and neglect; statewide automated child welfare information system (SACWIS).
- FBI
- State sex offender registry

Each program and individual will receive notification from ODJFS regarding eligibility after review of the background check results. Individuals associated with FCC programs will have

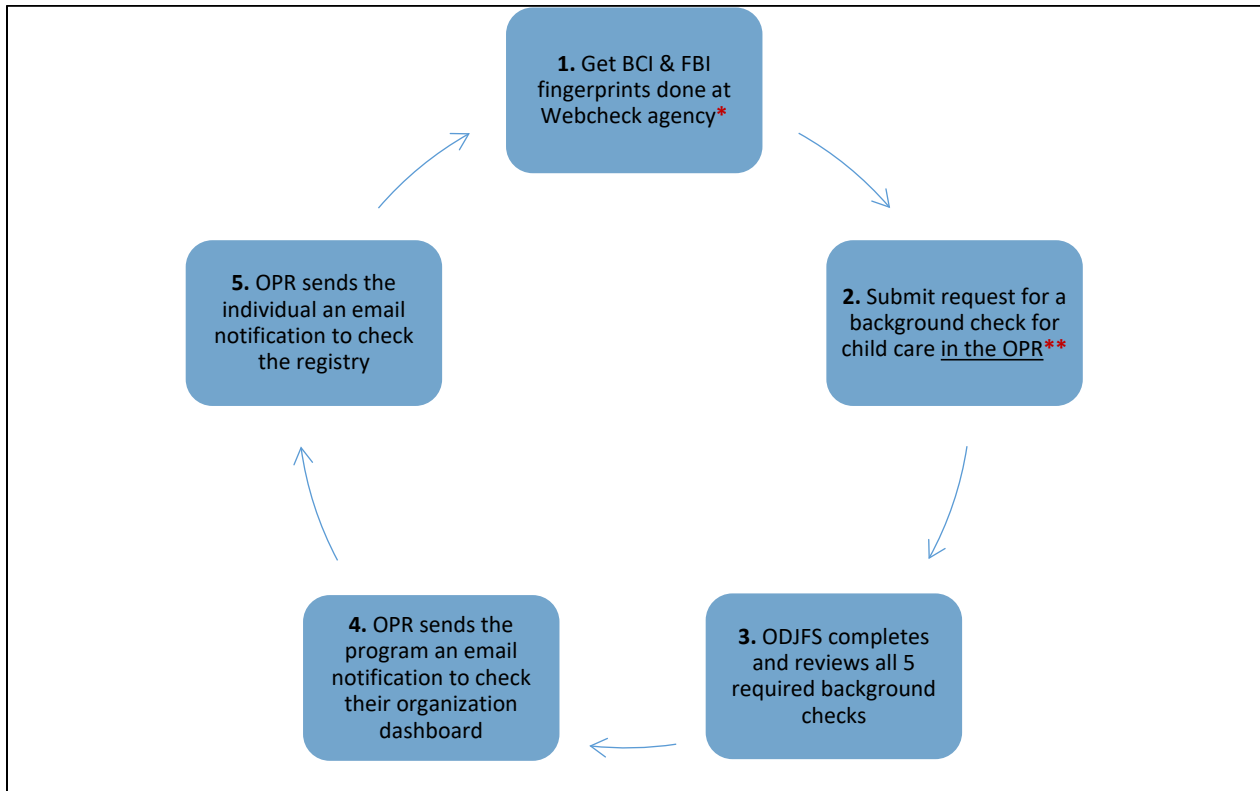
background check results emailed to the appropriate county. Individuals associated with ODE programs will have background check results emailed to the ODE program.

The following individuals are required to have a background check:

- Child care center owners, administrators, and applicants
- Licensed FCC programs and applicants
- Certified in-home aides and applicants
- Employees and child are staff members of an ODJFS licensed child care center or licensed FCC program
- Residents of a licensed FCC program
- Owners, administrators/directors and employees of an ODE licensed program approved to provide PFCC
- Administrators, employees and child care staff members of an approved child day camp approved to provide PFCC services

Process

All individuals must have a profile in the OPR. For every profile created, an Ohio Professional Identification Number (OPIN) is assigned. A person should only have one profile and one OPIN. Contact Ohio Child Care Resource and Referral Association (OCCRRA) staff at **1-877-547-6978, option 1** with any OPR log in issues and/or password resets.



*Refer to <http://jfs.ohio.gov/cdc/docsBackgroundCheckInstructions2017.stm> for WebCheck instructions and locations.

******The individual requesting the background check must select the program(s) on section 2 of the background check request in the OPR for the program to receive notification of the individual's background check.

- ✓ Background checks must be completed (all steps are required) every 5 years from the most recent background check results review.
- ✓ If an individual adds a program during the 5 years, they start at #2, as new fingerprints are not required.

Individuals who disagree with the ODJFS determination can complete a JFS 01178 "Request for Review of Background Check Decision for Child Care" to request a review of the decision.

Individuals who believe the information received by ODJFS is not accurate can contact the agency directly that provided the questionable information:

- Ohio Statewide Automated Child Welfare Information System (SACWIS)
Phone: 1-800-686-1580 option 3, then option 5
- Civilian Identification Department of the Bureau of Criminal Identification and Investigation (BCI & FBI)
Phone: 1-877-224-0043
- Ohio Attorney General's Office (sex offender)
Phone: 1-866-406-4534

Frequently Asked Questions

1. What determines an individual ineligible?

The following criteria would make an individual ineligible:

- Having a conviction or guilty plea to a prohibitive offense and not meeting the standards for rehabilitation.
- Being registered or required to be registered on the national or state sex offender registry.
- Being identified as the perpetrator for a substantiated finding of child abuse or neglect in the previous ten years from the date on the JFS 01175.
- Failure to complete step #1 in the background check process which is getting BCI/FBI fingerprints done at a Webcheck agency.

Please note, the JFS 01177 "Individual Notification of Background Check Review for Child Care" will be mailed via the postal service.

2. What happens when an individual submits a JFS 01178 to ODJFS?

If an individual requests a review of the background check decision, he or she shall not be on-site at the program or reside in the home during the ODJFS review process. The individual who made the request will be notified of the decision by ODJFS. If the individual is determined eligible for employment or residence, the program will receive an updated JFS 01176 and the individual will receive an updated JFS 01177. The individual may then be on-site at the program or reside in the home. The updated JFS 01176 shall be kept on-site by the program.

3. **Will the checks for child abuse and any new convictions be completed by ODJFS?**

Yes, these checks are conducted by the state as detailed in rule 5101:2-13-09. However, if the county agency becomes aware of any PCSA findings or any convictions then that information should be forwarded to the appropriate ODJFS unit for further processing.

4. **What if someone obtains an expungement for a prohibitive conviction?**

The individual must have the court record updated so that the conviction does not appear on the FBI or BCI background check and then request another background check review.

Please reference the following letters for more information:

- Child Care Center Manual Transmittal Letter No. 17
- Child Care Center Manual Procedure Letter No. 20
- Family Child Care Manual Transmittal Letter No. 7
- Family Child Care Manual Procedure Letter No. 14

Helpful Tips

- Step #1 of the background check process should be completed prior to step #2. The request for a background check in the OPR should be completed after the BCI and FBI fingerprints are done at a Webcheck agency.
- Be aware that new staff who have not lived in Ohio for the past 5 years take longer to process because other states are contacted for information.
- Adobe Acrobat is required for viewing ODJFS forms. Many individuals contact ODJFS stating that the forms are “blank.” Once the document is saved and printed, then the document shows as completed. Smart phones and other devices may not have the Adobe program for viewing the completed PDF form.

If you have questions, please contact the Child Care Policy Help Desk at 1-877-302-2347, option 4.