



## **New Comprehensive Background Checks What Group Child Care Providers Need to Know**

New federal and state laws require all providers, employees and volunteers working in child care programs to complete a new Comprehensive Background Check initially by September 30, 2020, and again at least once every five years.

### **1. What is included in the Comprehensive Background Checks?**

- New York State (NYS) criminal history record check with the Division of Criminal Justice Services
  - National criminal record check with the Federal Bureau of Investigation (FBI)
  - National Sex Offender Registry check with the National Crime and Information Center
  - New York State Sex Offender Registry check
  - New York Statewide Central Register of Child Abuse and Maltreatment (SCR) check
  - New York State Justice Center Staff Exclusion List (SEL) check
- For any individual who lived outside New York State at any time in the last five years, the Comprehensive Background Check also includes:
- Criminal history repository for the state(s) of residence
  - Sex offender registry for the state(s) of residence
  - Child abuse or neglect repository for the state(s) of residence

### **2. What are programs and individuals required to do for the Comprehensive Background Checks?**

- Group child care programs need to submit the following forms to the New York City Department of Health and Mental Hygiene's Central Clearance Unit (CCU):
  - Child Care Provider, Staff and Volunteer Information (Form A1)
  - Request for Staff Exclusion List Check (Form A2)

Forms can be either emailed to [CCU@health.nyc.gov](mailto:CCU@health.nyc.gov) or faxed to 347-396-8052. *Please note that email may not be secure depending on your security settings.*

- Group child care programs need to complete the Statewide Central Register Database Check Form (LDSS-3370) and enter the information on the form into the Statewide Central Register of Child Abuse and Maltreatment (SCR) database.
  - When entering information, provide your program's permit number and Day Care Identification (DCID) number instead of the Child Care Facility System (CCFS) number.
  - SCR forms do not need to be submitted to the Central Clearance Unit (CCU).
  - Payment may be made online by credit card; otherwise, money orders and bank checks (no personal checks) must be submitted directly to:  
NYS Office of Children and Family Services Bureau of Financial Operations  
52 Washington Street, Rm 204S  
Rensselaer, NY 12144

- Fingerprinting
  - Individuals being cleared by the **NYC Department of Investigations (DOI)** need to make two copies of the completed Fingerprinting Identification and Authorization (FPIA) form and submit all three copies (original and two copies) to DOI at the time of their appointment.
  - Individuals being cleared through the **NYC Department of Education (DOE)** need their programs to nominate them by adding them to their Personnel Eligibility Tracking System (PETS) roster. This will trigger a Nomination Letter that outlines steps for the individual to complete, including a background questionnaire and a visit to 65 Court Street, Brooklyn, New York, 11201, for fingerprinting.
  - **Fingerprinting is not conducted at NYC Health Department offices.**

**3. Do all staff — existing and new — need to complete the Comprehensive Background Checks?**

Yes, all staff must be cleared through the new Comprehensive Background Checks. Existing staff previously cleared prior to October 1, 2019, need to be fully cleared by September 30, 2020, and new staff must be cleared before they start working or volunteering (see questions #4 and #5).

**4. Can existing staff continue to work while being cleared through the Comprehensive Background Checks?**

Yes. Providers, staff and volunteers cleared prior to October 1, 2019, can continue to work at their current program through September 30, 2020. The NYC Health Department will provide more guidance about the implementation schedule when available. Until then, programs should hold on submitting the A-Series packet and requesting new clearances for existing staff and volunteers.

**5. Can new staff or volunteers start work while being cleared through the Comprehensive Background Checks?**

No. BEFORE the individual starts working, the program must receive written notification from the NYC Health Department that the new staff or volunteer has completed the clearance process and is eligible to work.

**6. How will the group child care program be notified of the results of the Comprehensive Background Checks?**

Group child care programs will be emailed a final decision letter for each staff or volunteer, indicating whether the individual has been cleared to work. Since these letters will be emailed, programs must have a valid email address that is monitored regularly by program leadership. Be sure to notify [your borough office](#) if your program email address changes.

Keep the notification letters on file; they must be made available to the NYC Health Department upon request.

**7. What is a conditional approval to work?**

Conditional approval is granted after an individual meets federal and state clearance requirements, but has not yet completed out-of-state clearances (see question #1). Only individuals who indicate on Form A1 that they now live, or at some point in the last five years had lived, in a state other than New York may receive conditional approval to work. Group child care programs will be emailed conditional approval letters; final determination letters will be emailed once out-of-state clearances are complete.

***Staff who receive conditional approval cannot be left unsupervised with children.***

**8. How are the Comprehensive Background Checks handled if an individual spent some of the last five years out of the country?**

There is no requirement to conduct a background check in other countries. However, all other clearance requirements apply. Please note that out-of-state clearances apply to U.S. Commonwealths and Territories — District of Columbia, U.S. Virgin Islands, Guam, Commonwealth of Northern Mariana Islands, American Samoa and Puerto Rico.

**9. If staff work at more than one group child care program, do the Comprehensive Background Checks need to be completed at each place of work?**

Once an individual successfully completes the Comprehensive Background Checks and receives a clearance letter, they do not need to be re-fingerprinted to work in another child care program; however, the hiring program must submit a waiver request form (Form A3) and redo the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) check and New York State Justice Center Staff Exclusion List (SEL) check for each additional work site. If there is any break in service that lasts more than 180 days, Comprehensive Background Checks need to be redone, including re-fingerprinting.

**10. Can an individual challenge a decision that excludes them from working at a program due to a criminal history?**

Yes. If a person is not granted clearance and has a record that does not include an automatic disqualifying crime, they can appeal the decision. The individual will be informed of this right and the appeal process in the decision letter.

**11. How can I get more information about the Comprehensive Background Checks?**

For more information or to report any issues with the clearance process, reach out to [your borough office](#). You can also contact the NYC Health Department’s Central Clearance Unit (CCU) at [CCU@health.nyc.gov](mailto:CCU@health.nyc.gov).