

CHILD CARE STAFF MEMBER AND EMPLOYEE REQUIREMENTS FOR CHILD CARE CENTERS AND TYPE A HOMES

Position	Noncon- viction Statement (at hire and annually)	Medical (at hire and every 3 years)	Three Refs (at hire)	Educ. Verif. (at hire)	BCII (at hire and every 4 years)	FBI (at hire) Every 4 years at admin. discretion	Employee Policy Statement (at hire)	Inservice Training Required
<u>Child Care Staff Member (CCSM)</u> An adult employee, paid or unpaid, who is used in the staff/child ratio at the center. If persons such as janitors, cooks, secretaries, drivers, etc are used to meet ratio at anytime (breaks, naptime), they are child care staff members. Only CCSM may be responsible for supervision and discipline of children.	Required	Required	Required	Required	Required	Required (for persons hired after 9/1/08)	Required	Required
<u>Employee/Volunteer (present during child care hours)</u> A person at least 15 yrs old, paid or unpaid who is never used in the staff/child ratios. This includes all persons employed in any capacity at the center during hours of operation (except child care staff members).	Required	Required	Required	Not Required	Required	Required (for persons hired after 9/1/08)	Required	Not required
<u>Employee/Volunteer (NOT present during any child care hours)</u>	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required
<u>Substitute</u> A child care staff member who replaces an assigned staff member on a temporary basis.	Required	Required	Required	Required	Required	Required (for persons hired after 9/1/08)	Required	Not required
<u>College/ High School Worker/Foster Grandparent</u> A person participating in or leading activities in the classroom, scheduled work hours, not used in staff/child ratio, does not have care, custody or control of children. (The exception to this definition would be the second year joint vocational student in a child care program, who may be used in the staff/child ratio if they meet all the ccsm requirements of Rule 26 (C)).	Required	Required	Required	Not Required	Required (Can be from school/ agency)	Not Required	Required	Not required
<u>Professional from a child serving agency NOT left alone with child</u> Agency issued ID required.	Not required	Not required	Not required	Not required	Required (Can be from employ. agency)	Not Required	Not required	Not required
<u>Professional from a child serving agency ALONE with child</u> Agency issued ID required.	Not required	Required (Can be from employing agency)	Required (Can be from employing agency)	Not required	Required (Can be from employ. agency)	Not Required	Not required	Not required

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<u>Second Adults for Child Care Centers</u>	Required	Not required	Not required	Not required	Not Required	Not Required	Not required	Not required
<u>Parents Working in a Parent Co-op Program (that is not incorporated)</u> Parents cannot be used in staff/child ratio, cannot have care, custody or control of children and are in the center more than 4 times a month. If parents are used as ccsm they must meet all ccsm requirements.	Required	Not Required	May use parent board statement	Not Required (Unless used in staff/child ratios)	Required	Required	Required	Required (If used in staff/child ratios)
<u>College or High School Observer</u> A person observing in the classroom, not participating in activities in the classroom, cannot be used in staff/child ratio, cannot have care, custody or control of children and is in the center more than 4 times a month.	Required	Not Required	Not Required	Not required	Required (Can be from school)	Not Required	Not required	Not required
<u>Visitor/Observer</u> Visitors have no scheduled work hours and are present in the center four times or less a month. No paperwork is required for these individuals. They may not be used in the staff/child ratio and they may not have care, custody or control of children at anytime.	Not Required	Not required	Not required	Not required	Not Required	Not Required	Not required	Not required
<u>Instructor- Gymnastics /Tumbling /Dance/Computer instructor, etc</u> If the instructors will be alone with children or used in the staff/child ratio, they must meet all of the child care staff member requirements.	Required	Required	Required	Required	Required (Can be from employer)	Required (Can be from employer)	Required	Required
If the instructors are supervised at all times by a child care staff member and are not counted in the staff/child ratio, then only employee information is needed. Information provided may be completed by the instructor's employer.	Required	Required	Required	Not required	Required (Can be from employer)	Required (Can be from employer)	Required	Not required

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<u>Bus Driver- Employee of Center/Type A Home</u> Used in the staff/child ratio.	Required	Required	Required	Required	Required	Required	Required	Required
Other staff present and driver is not used in staff/child ratio and not responsible for the care of children.	Required	Required	Required	Not required	Required	Required	Required	Not required
<u>Contracted Driver or Monitor</u> - (Routine or Occasional) Alone with children, serving as a child care staff member and used in staff/child ratio.	Required	Required	Required	Required	Required (Can be from employer)	Required (Can be from employer)	Required	Not Required
<u>Contracted Driver or Monitor</u> - (Routine or Occasional) A child care staff member rides in the vehicle at all times, driver not used in staff/child ratio.	Required	Not Required	Not Required	Not Required	Required (Can be from employer)	Not Required	Not Required	Not required
<u>Public Transportation Driver</u>	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required
<u>Public school bus driver</u> -driving for the public school, picking up or dropping off at child care	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required
"Contracted" means an arrangement entered into by the center for another entity to transport children who are enrolled in the center or home.								

**Times When a New Criminal Records Check is Needed
For a Child Care Center Initial License or Administrator Change**

Reason for Issuing License	Staff		Owner/Administrator	
	New BCII	New FBI	New BCII	New FBI
Brand New Center	YES	YES	YES	YES
Center Changing Location (no change of ownership or staff)	NO	NO	NO	NO
Center Changing Ownership (no change of location or staff)	YES *	YES *	YES	YES
New Intra Agency Center (Center is new, staff are approved employees of the same agency/corporation)	NO	NO	YES	YES
Administrator is promoted from within the same center			X	XX
Administrator moves from one center owned by an agency/corporation to another center owned by the same agency/corporation			X	XX

* = see last bullet on page 6 under "Notes"

X = Administrator's BCII records check results must be dated within the last four years and requested by the same owner/ agency/corporation or a new criminal records check is required. Owner does not require new records check.

XX= Administrator's FBI record check results must be dated within the last four years and requested by the same owner/ agency/corporation or a new FBI check is required. If the employee has not previously had an FBI records check completed this would need to be requested prior to the employee being named as administrator. Owner does not require a new records check.

Initial licenses meeting **ALL** of the following criteria will be permitted to extend the timeline for meeting the criminal records check requirements. They will need to meet the September 1, 2008 requirements the next time checks are required.

License application received prior to September 1, 2008

Onsite inspection completed prior to December 1, 2008

License recommended prior to December 31, 2008

**Guidelines for Criminal Record Checks & Nonconviction Statements
Effective September 1, 2008 for Owners/Administrators**

	New BCII by 3-1-09	New FBI by 3-1-09	New Nonconviction Statement by 3-1-09	BCII at License Expiration Date	FBI at License Expiration Date
Hired prior to Oct 1993	Yes	No	Yes and annually	+	Yes
Currently employed, BCII completed prior to 9-1-04	Yes	No	Yes and annually	+	Yes
Currently employed, BCII completed on or after 9-1-04	New check needed at license renewal every 4 years from last check	No	Yes and annually	Yes - and every 4 years at license renewal	Yes
Hired after 9-1-08	At hire and every 4 years at license renewal	At hire	Statement must signed at hire and annually	Yes - every 4 years at license renewal	Yes

⊕ = New BCII and FBI criminal records checks are needed for the administrator and owner (A & O) at the time of license renewal every four years. Until the records checks and the license renewal dates are synced, A & Os will need to complete their criminal records checks at the time of license renewal, which will most likely be less than a four year period. As the current license expiration date is approaching, A & Os will need to determine if their criminal records checks will be more than four years old at the time of the next license renewal. If the criminal records checks will be more than four years old before the next renewal, A & Os need to request new records checks at this renewal, even though it may not have been a full four years yet. After doing this once, the dates of the A & O's criminal records check s should be synced with the license expiration date. As long as they remain at that center, it will be a full four years until the criminal records checks are required to be completed again at license renewal.

Example: Kathy was hired as the administrator in May 2007, her BCII records check was done in May 2007 and the center's license will expire June 2009.

- As her records check was completed in the last four years, she does not need a new BCII completed by March 1, 2009.
- Her records check will not be more than four years old by June of 2009, when her center's license is due for renewal. However, her records check will be more than four years old in June 2011, the next time her center's license is due for renewal.
- She must have her criminal records checks (BCII and FBI) completed again in June 2009 when her center license is due for its next renewal. This will then "sync" the dates that her center's license expires and the date that her criminal records checks are due. When her center's license is renewed in June 2013, Kathy will need to again request BCII and FBI criminal records checks, as her checks will then be four years old. Every four years after that at the time of her center's license renewal, Kathy will need to have the BCII and FBI records checks completed.

**Guidelines for Criminal Record Checks & Nonconviction Statements
Effective September 1, 2008 for Employees**

(including janitors, secretaries, etc. employed in any capacity during the hours of operation by the center or type A home)

Date of Hire	New BCII by 3-1-09	New FBI by 3-1-09	New Nonconviction Statement by 3-1-09	Every 4 years from date of the last BCII check	Every 4 years from date of the last FBI check
Hired prior to Oct 1993	Yes, and every four years thereafter	No	Yes, and annually thereafter	Yes	At center's discretion
Currently employed, BCII completed prior to 9-1-04	Yes, and every four years thereafter	No	Yes, and annually thereafter	Yes	At center's discretion
Currently employed, BCII completed on or after 9-1-04	New BCII due four years from the date of the last check	No	Yes, and annually thereafter	Yes	At center's discretion
Hired on or after 9-1-08	New BCII at hire and every four years thereafter	Yes	Upon hire and annually thereafter	Yes	At center's discretion

Notes:

- ⇒ Child care staff members hired after Sept. 1, 2008 may be used in the staff/child ratios, but may not be left alone with or solely responsible for a group of children until both criminal records checks are returned and approved by the administrator or designee.
- ⇒ For BCII updates, the results must be on file 4 years from date of last results.
- ⇒ Non conviction statement must be updated annually from date of signature.
- ⇒ The licensing specialist will give a copy of the administrator's and owner's criminal record checks to the administrator to keep on file at the center. The original is to be kept in the central office licensing file.
- ⇒ Students, interns, etc. and all contracted services (speech, computer, driver, gymnastics) must have the BCII records check updated every 4 years. If these are not on file by Sept. 1, 2008, administrators have until March 1, 2009 to get them on file. Copies of BCII record checks may be used if they are from the school or service employer.
- ⇒ Child care staff members, who were hired prior to Sept. 1, 2008 and have a BCII records check on file from the current owner, in programs undergoing a change of ownership between Sept. 1, 2008 and March 1, 2009, have until March 1, 2009 to get the BCII and FBI checks for the new owner on file. These staff members may continue to work alone with children prior to the results being on file.