



Changes to Background Checks Required Under Federal Law for Individuals Associated With Regulated Child Care Facilities

New federal legislation passed as part of the Child Care and Development Block Grant Act of 2014 will require, at least every five years, FBI fingerprint background checks and other checks on all subject individuals (individuals associated with or seeking to be associated with Regulated Child Care Facilities, referred to as “individuals” throughout this document). Additional child welfare, sex offender and criminal interstate checks will also be conducted on individuals who have lived in the state for less than five years. Beginning January 2017, application to the Central Background Registry will include the components below.

New enhanced background check requirements:

- a) a search of the state criminal and sex offender registry or repository in the state where the individual resides, and each state where the individual resided during the preceding 5 years;
- b) a search of state-based child abuse and neglect registries and databases in the State where the individual resides, and each State where the individual resided during the preceding 5 years;
- c) a search of the National Crime Information Center;
- d) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and
- e) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).

No new funding accompanied the federal requirement and while Oregon currently subsidizes the background check process, the Early Learning Division will not be able to absorb the costs associated with the new federal law. The Early Learning Division is exploring funding options for the increased costs and is in the process of determining fees after June 30, 2017. Currently, individuals pay a fee of \$3 for a basic background check. Individuals subject to FBI fingerprint background checks pay for fingerprint capture (varied costs up to \$100) and a \$62 fee to the Early Learning Division Office of Child Care with a majority of the fee going directly to the Oregon State Police to process the FBI check.

For the period January 1, 2017 through June 30, 2017, the Early Learning Division will subsidize the cost of background checks for subject individuals in licensed child care settings. Application to the Central Background Registry is **\$35 from January 1, 2017 through June 30, 2017.**

The State is required to use Fieldprint® Fingerprinting for Livescan fingerprint services. Fieldprint® Fingerprinting sites are located throughout the state and the cost for fingerprint capture is **\$12.50.**

Questions and answers about the changes follow. If you have additional questions please contact our central office. 1-800-556-6616 or 503-947-1400. Email: ChildCare.emp@state.or.us

Who is required to have an FBI fingerprint background check and be enrolled in the Central Background Registry?

Oregon Statute 329A.30 defines which “subject individuals” are required to be enrolled in the Central Background Registry. This includes:

- The owner, operator or an employee or volunteer of a certified, registered or otherwise regulated facility caring for children that is subject to the jurisdiction of the Office of Child Care;



- The operator or an employee of an Oregon pre-kindergarten program or parent-as-teacher program under ORS 329.170 to 329.200;
- The operator or an employee of a federal Head Start Program regulated by the United States Department of Health and Human Services;
- A designated employee or a contractor with the Early Learning Division;
- A contractor or an employee of the contractor who provides early childhood special education or early intervention services pursuant to ORS 343.455 to 343.534; or
- A child care provider who is required to be enrolled in the Central Background Registry by any state agency.
- A designated contractor, employee or volunteer of a Metro Service District.
- A provider of respite services as defined in ORS 418.205 for parents pursuant to a properly executed power of attorney under ORS 109.056.
- An individual in any of the above facilities or programs who may have unsupervised contact with children is also a subject individual. This includes but is not limited to permanent or temporary residents in the home or facility or persons visiting on a regular basis.

How do I access the application for the Central Background Registry?

The easiest method of applying for the Central Background Registry is through the online application process. You will need some basic identifying information ready and a valid Visa, Mastercard or a prepaid Visa card available at most supermarkets and banks. Make sure the prepaid card can be used for internet purchases. You can also fill out a paper application which is also available online.

What if I am already in the Central Background Registry? Do I have to do another background check?

If you are currently enrolled in the Central Background Registry and your enrollment expires between September 30, 2016 and January 1, 2017, you should submit your renewal application as you normally would and we will process it. However, you will be required to do the additional step of getting fingerprinted and having the FBI enhanced check sometime prior to September 2018, in order to remain enrolled. The Early Learning Division, Office of Child Care will send you additional information on how to do the fingerprinting process, prior to September 2018.

How often do I have to get a background check?

Current Oregon Law requires the Early Learning Division Office of Child Care to complete background checks for individuals in the Central Background Registry every two years. The federal law requires FBI fingerprinted background checks at least every five years. Oregon is working to align these requirements in order to minimize costs for individuals and limit the FBI fingerprint background check to every five years.

How much will the enhanced background check cost?

Individual application for the Central Background Registry is **\$35 between January 1, 2017 and June 30, 2017**. There is an additional fee of **\$12.50** for fingerprinting services with Fieldprint® Fingerprinting.

How do I get my fingerprints to you?

Once you complete the application for enrollment to the Central Background Registry, you will receive information on how to schedule an appointment with Fieldprint® Fingerprinting. Your Livescan fingerprints are transmitted electronically to the Oregon State Police for submission to the FBI.

Why do I have to use Fieldprint® Fingerprinting?

New state law requires all state agencies to use electronic fingerprint capture services. The Oregon Department of Administrative Services has contracted with Fieldprint® Fingerprinting for these services at a fixed and reasonable fee.

Where are the Fieldprint® Fingerprinting offices?

Fieldprint® sites are located throughout Oregon, Washington and California. Additionally, there are two locations in Idaho. If there isn't a Fieldprint® site near your home, you will need to travel to the nearest location.

