

**From:** Holcombe, Rebecca [Rebecca.Holcombe@vermont.gov]  
**Sent:** Sunday, July 17, 2016 11:38 AM  
**To:** Pepper, James  
**Subject:** Fwd: Fingerprinting memo to Providers and Prequalified PreK Program  
**Attachments:** FINGERPRINTING memo for providers 6.15.16 RSM, af.doc

Fyi

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From: "**Fowler, Amy**" <[Amy.Fowler@vermont.gov](mailto:Amy.Fowler@vermont.gov)>  
Date: Sun, Jul 17, 2016 at 8:46 AM -0400  
Subject: RE: Fingerprinting memo to Providers and Prequalified PreK Program  
To: "Murphy, Reeva" <[Reeva.Murphy@vermont.gov](mailto:Reeva.Murphy@vermont.gov)>, "Dragon, Paul" <[Paul.Dragon@vermont.gov](mailto:Paul.Dragon@vermont.gov)>, "Cohen, Hal" <[Hal.Cohen@vermont.gov](mailto:Hal.Cohen@vermont.gov)>, "Schatz, Ken" <[Ken.Schatz@vermont.gov](mailto:Ken.Schatz@vermont.gov)>, "Holcombe, Rebecca" <[Rebecca.Holcombe@vermont.gov](mailto:Rebecca.Holcombe@vermont.gov)>  
Cc: "Edwards, Karin" <[Karin.Edwards@vermont.gov](mailto:Karin.Edwards@vermont.gov)>, "Riegel-Garrett, Melissa" <[Melissa.RiegelGarrett@vermont.gov](mailto:Melissa.RiegelGarrett@vermont.gov)>, "Palchak, Megan" <[Megan.Palchak@vermont.gov](mailto:Megan.Palchak@vermont.gov)>, "Allen, Ben" <[Ben.Allen@vermont.gov](mailto:Ben.Allen@vermont.gov)>, "Walker, Jan" <[jan.walker@vermont.gov](mailto:jan.walker@vermont.gov)>, "Sherry Carlson (scarlson380@comcast.net)" <[scarlson380@comcast.net](mailto:scarlson380@comcast.net)>, "Benedict, Jennifer" <[Jennifer.Benedict@vermont.gov](mailto:Jennifer.Benedict@vermont.gov)>

Hi Reeva-

I've had a chance to review the letter and there are three specific concerns I have. Noted in text comments also.

1. The first bullet is unclear who needs to be fingerprinted- "regularly there" is vague. It is our understanding that all staff need to be fingerprinted. Time is not a factor.

2. Also in the first bullet, speaks to current employees but does not attend to the obligation to hire only cleared staff prior to working with students. Given the high turnover in preK this is a critical responsibility.
3. Bullet 7 puts the responsibility for determining if a provider is cleared on school systems. We had discussed that CDD would be providing the program with a document that could be shared with school systems to activate payments and for individuals so that they could provide that to AOE for licensing.

Thanks

Amy Fowler, EdD  
Deputy Secretary  
802-479-4308 (phone) 802-917-2065 (mobile)

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**From:** Murphy, Reeva  
**Sent:** Friday, July 15, 2016 7:28 PM  
**To:** Dragon, Paul; Cohen, Hal; Schatz, Ken; Holcombe, Rebecca  
**Cc:** Edwards, Karin; Fowler, Amy; Riegel-Garrett, Melissa; Palchak, Megan; Allen, Ben; Walker, Jan; Sherry Carlson (scarlson380@comcast.net); Benedict, Jennifer  
**Subject:** Fingerprinting memo to Providers and Prequalified PreK Program  
**Importance:** High

Sorry to all that this has taken so long – we have had some particular pressures and competing priorities here in CDD these past weeks. We'd like to get this out as soon as possible. Please let us know if you have comments or if we can move it forward.

Thanks

Reeva

*Reeva Sullivan Murphy*

Deputy Commissioner



Department for Children and Families

**Child Development Division**

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*PLEASE NOTE NEW ADDRESS!*



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*Agency of Human Services*

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## Memorandum

**To:** Licensed and Regulated Child Care Providers  
Prequalified Prekindergarten Education Programs

**From:** Child Development Division, Department for Children and Families

**Subject:** Record Checks and Implementation of NEW Fingerprinting Requirements

**Date:** July 20, 2016

**Cc:** Ken Schatz, Commissioner DCF, Hal Cohen, Secretary AHS, Rebecca Holcombe,  
Secretary AOE

In June 2016, revised child care licensing regulations were adopted for Family Child Care Homes and Center Based Child Care and Preschool Programs. One of the more significant changes, required by changes in federal law, is the requirement for certain child care staff to have fingerprint-supported background checks completed in order to work in child care and preschool programs. There is a similar state requirement for staff in Prequalified Prekindergarten Education Programs under Act 166 to undergo a fingerprint supported background check. AHS and AOE have worked closely together to establish a process that does not require individuals working in early care and learning programs to be fingerprinted twice from this point forward. The Child Development Division (CDD) will be managing a fingerprint supported background check that will meet both child care regulatory requirements and Act 166 approval requirements.

In order to minimize the volume of individuals moving through the system, CDD will roll out the fingerprinting component of background checks gradually. Because of the urgency for Prequalified Prekindergarten Education Programs to have fingerprint-supported background checks completed for the 2016-2017 school year, CDD will begin implementation of the fingerprinting process for this population only at this time.

***Fingerprint-supported background checks are required for all staff in Prequalified Prekindergarten Education Programs (including public and private programs) ONLY at this time.***

***Staff in all other Family Child Care Homes and Center Based Child Care Programs will continue to use the current background check process which does NOT include fingerprinting until further notice. All staff are required to undergo background check clearances to work with children.***

Please direct any questions about this memo or the process to Shanna Smith at [Shanna.Smith@vermont.gov](mailto:Shanna.Smith@vermont.gov)



If you are a Prequalified Prekindergarten Education Program that submitted fingerprinting for background checks by early implementing local school districts in 2015, you will have to submit fingerprints again this year to CDD to meet licensing requirements. Our apologies.

**If you are currently approved as a Prequalified Prekindergarten Education Program, or in the process of seeking approval, please begin the following process immediately:**

- Submit the attached revised Record Check Authorization form for any **currently employed** and new individuals who will be **regularly present** at the program
- CDD will determine who is required to be fingerprinted based on the identified role of the individual, as indicated on the individual's Record Check Authorization form
- Programs will be mailed Fingerprinting Authorization Certificates for individuals who are required to be fingerprinted. This certificate will be required for fingerprints to be processed at one of the specified Identification Centers (a list of statewide ID centers is enclosed with Fingerprint Authorization Certificate packet)
- At an appropriate ID center, individuals will be required to pay a fingerprinting fee at the time of fingerprinting; CDD will cover the processing fee for the Vermont Crime Information Center (VCIC)
- All fingerprinting results will be returned directly to CDD and processed according to regulations (see link below)
- Programs will receive notice from CDD as to whether individuals meet CDD regulations or if an individual is considered prohibited from work in child care and preschool programs
- **Local school systems can contact CDD to inquire as to background check status of Prequalified Prekindergarten Education Programs serving children in their districts. Individuals working in Prequalified Prekindergarten Education Programs will *not* be required to undergo additional fingerprinting to meet AOE requirements - CDD will verify that fingerprint supported background checks have been completed.**
- While new regulations state that results will be returned within 45 days, CDD is aware of the burden such an increase puts upon VCIC and is prepared to waive this time restriction until further notice.

**Commented [AF1]:** Also believe there is a notice requirement that they may not hire new staff who do not have this clearance once the initial staff are cleared and that they have an ongoing obligation to complete this process prior to allowing access to children.

**Commented [AF2]:** We require this of all individuals who are present with students in ways where they may be alone with students. What is the definition of "regularly present"?

**Commented [AF3]:** Reeva- this does not match what we agreed to- we agreed you would provide the program with an official document that they could supply to the schools. This is putting a burden on school systems to verify programs when the responsibility should fall to the program.

In addition, the AOE will need this same documentation to process licenses for individuals who apply.

*There are a lot of staff needing fingerprinting and background checks at this time so please begin the process as soon as possible in order to have it completed for the start of the school year.*

For full review of the Background Check process as stated in the new regulations, please refer to Section 7.2 of Child Care Licensing Regulations: Center Based Child Care and Preschool Programs at [http://dcf.vermont.gov/sites/dcf/files/CDD/Docs/Licensing/CBCCPP\\_Regulations\\_FINAL.pdf](http://dcf.vermont.gov/sites/dcf/files/CDD/Docs/Licensing/CBCCPP_Regulations_FINAL.pdf)  
Of Section 7.2 of Child Care Licensing Regulations: Registered and Licensed Family Child Care Homes at [http://dcf.vermont.gov/sites/dcf/files/CDD/Docs/Licensing/FCCH\\_Final.pdf](http://dcf.vermont.gov/sites/dcf/files/CDD/Docs/Licensing/FCCH_Final.pdf)

*CDD will continue to collaborate with state agency partners to fully implement the fingerprinting process for all other providers in 2017. We appreciate your patience and cooperation.*

Please direct any questions about this memo or the process to Shanna Smith at [Shanna.Smith@vermont.gov](mailto:Shanna.Smith@vermont.gov)