

From: Murphy, Reeva [Reeva.Murphy@vermont.gov]
Sent: Tuesday, August 09, 2016 2:45 PM
To: Holcombe, Rebecca
CC: Johnson, Justin; Fowler, Amy; Schatz, Ken; Pepper, James; Benedict, Jennifer
Subject: RE: Urgent--response needed-- se needed:Memo to Supts and Principals re preK fingerprinting

Here's my concern – most of them have executed contracts in place by now – I am concerned about convoluting payment and agreements. I guess I was trying to avoid getting more questions about that...just answering the question that Michelle asked of – do my public school folks have to be fingerprinted right now...

From: Holcombe, Rebecca
Sent: Tuesday, August 09, 2016 11:42 AM
To: Murphy, Reeva <Reeva.Murphy@vermont.gov>
Cc: Johnson, Justin <Justin.Johnson@vermont.gov>; Fowler, Amy <Amy.Fowler@vermont.gov>; Schatz, Ken <Ken.Schatz@vermont.gov>; Pepper, James <James.Pepper@vermont.gov>; Benedict, Jennifer <Jennifer.Benedict@vermont.gov>
Subject: Re: Urgent--response needed-- se needed:Memo to Supts and Principals re preK fingerprinting

Reeva, I can forward your note, but my concern is that with your changes, we are avoiding the contracting problem, which is a major factor driving their questions on this topic. Am I reading this correctly that you are not comfortable explaining the impact on contracting for services at this time?

R

Rebecca Holcombe, Secretary of Education
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Rebecca.Holcombe@vermont.gov

From: Murphy, Reeva
Sent: Tuesday, August 9, 2016 10:29:55 AM
To: Holcombe, Rebecca
Cc: Johnson, Justin; Fowler, Amy; Schatz, Ken; Pepper, James; Benedict, Jennifer
Subject: RE: Urgent--response needed-- se needed:Memo to Supts and Principals re preK fingerprinting

Here are my suggestion to send a clear and consistent message. This incorporates a response to questions we have also been receiving

Under Act 166, for the 2016-2017 school year, prequalified prekindergarten education programs operated by public schools must ensure that all staff working in the program, like all staff working in the school, have undergone fingerprint supported background checks and been cleared either by the Superintendent or through the Child Development Division process OR you must ensure that any new staff are supervised until a fingerprint supported background check and clearance has been completed. This is required under Vermont State Law, Title 16, Subchapter 4.

As part of new federal laws and new Licensing Regulations for Child Care and Preschool Programs, CDD has initiated a process to introduce fingerprinting as part of the background check process for all regulated programs, both publicly and privately operated. Once completed for all staff, this clearance can take the place of local fingerprint supported background checks for prekindergarten staff.

Right now, CDD is prioritizing ensuring that private prequalified prekindergarten education programs have completed fingerprint supported background checks to streamline clearances for both programs serving children from multiple districts /supervisory unions and for Superintendents in districts/Supervisory Unions working with multiple private prequalified programs. All individuals/staff that have been cleared through this process will receive documentation of that clearance from CDD. CDD is expediting and tracking the completion of fingerprint supported background checks for all staff in private prequalified prekindergarten education programs for the start of the 2016-2017 school year in order to meet Title 16 requirements for such clearances. If superintendents have independently conducted fingerprint supported background checks for all staff in a private prequalified program as part of an Act 166 partnership either as an early implementer in 2015-2016 or for this school year, 2016-2017, this may also meet the Superintendent's responsibility under the Title 16 requirement.

This fall, CDD will be ensuring that all staff in any regulated public or private prequalified approved prekindergarten education program has been through a fingerprint supported background check and clearance applying the disqualifications specified in licensing regulations. This means that some staff may have to undergo fingerprinting more than one time to satisfy all legal background check requirements.

From: Holcombe, Rebecca

Sent: Tuesday, August 09, 2016 9:46 AM

To: Murphy, Reevea <Reeva.Murphy@vermont.gov>

Cc: Johnson, Justin <Justin.Johnson@vermont.gov>; Fowler, Amy <Amy.Fowler@vermont.gov>; Schatz, Ken <Ken.Schatz@vermont.gov>; Pepper, James <James.Pepper@vermont.gov>

Subject: Urgent--response needed-- se needed:Memo to Supts and Principals re preK fingerprinting

Reeva

This is starting to snowball. Multiple supervisory unions are now looped in. I need a response asap. Will send at noon if I do not hear back.

Rebecca

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On Mon, Aug 8, 2016 at 4:18 PM -0400, "Holcombe, Rebecca" <Rebecca.Holcombe@vermont.gov> wrote:

Reeva,

I hope you had a lovely weekend.

We have received the following query (bottom) and propose the response below. Can you please review and confirm that this is your understanding?

Thanks. We propose to send it tomorrow.

Best,

Rebecca

Proposed Response:

For the coming year:

1. Supts can operate public PKs under act 166, assuming that they are pre-qualified, if:
 - a. You can confirm that your system has conducted fingerprint clearance of all staff.
- or

b. You can confirm that your system will have fingerprint clearance or supervision of all staff until that occurs.

Eventually, CDD certification can take the place of your local fingerprinting for PK staff.

2. The second, joint letter refers specifically to fingerprinting of staff in private providers and Head Starts, where superintendents cannot easily verify or take responsibility for fingerprinting. As you state, this means that CDD will take responsibility for fingerprinting in private providers and provide you with an assurance that all staff have been fingerprinted, at which point you can contract with that independent/private provider for PK services under Act 166. In a few cases, superintendents have chosen to support fingerprinting of all staff in private providers that serve their children. If you as a superintendent can independently confirm that all staff in a provider with which you contract have been fingerprinted, then you also can contract with that provider to provide Act 166 tuition reimbursements to families.

From: Michelle Spence [<mailto:mspence@fnwsu.org>]

Sent: Monday, August 08, 2016 2:08 PM

To: Riegel-Garrett, Melissa; Fowler, Amy; Gaidys, Maureen; Smith, Shanna

Cc: mianello; Janice Crow; Amy Emerson; BetHemi@gisu.org; Bill Hammond; Bonnie Burroughs; candacecrosby-rogers@marioncross.org; carrie bogre; Cheryl Phillips; cmalo@wcsu.net; Sharon, Cynthia; Langston, Diana; dmathews@owsu.k12.vt.us; Collins, G; Jan Cole; Jennifer Parker; Jessica Hathorn; ifarashahi@sevca.org; jfinlay@rivendellschool.org; kflett; Karen Johnson; kfoltz@rivendellschool.org; McCarthy, Kim; kpetrone@thetfordeschool.org; Laurie Hausler; Liz Barker; Lucy Giesing; Marla Ianello; Rachel Piper; Rick Dustin-Eichler; rreade@rivendellschool.org; Cameron, Sandra; scolton@wnwsu.org; skinney@orangesw.k12.vt.us; ssousa@wcsu.net; sue barnaby; tenglehardt@wnwsu.org; tomk31@gmail.com; vwells@acsu.org; Janet Murray; Sherry Carlson; lutzc@cstdvt.org; Kevin Dirth; Winton Goodrich; Pierrette Bouchard; Diana Kelly; Andrea Racek

Subject: Re: FW: Memo to Supts and Principals re preK fingerprinting

I am still unclear (after reading the various memos that went out on July 15th and July 22nd, in addition to this one - all attached) what we need to do if we are a public school, with public school employees who have all been fingerprinted through VCIC (which I understand CDD is trying to get a user agreement in place with) .

The *Memo from Secretary Holcombe dated July 15th, 2015* states that:

" any person who works for ann Act 166 preK provider will have to undergo a fingerprint supported background check."

As a public school system, our superintendent and central office staff assures this is in effect for all staff before they are hired.

In July 2016, another memo was sent out from Secretary Holcombe and Secretary Cohen stating that the CDD will provide or support fingerprinting at centers and family day cares that provide publicly funded preK. It goes on to say:

*"When complete DCF/CDD will provide superintendents with an assurance that **pre-approved private providers** have met all requirements, including the fingerprinting."*

I interpreted this to mean that public school employees would continue to be fingerprinted through the SUs and the VCIC and that private providers would go through the new CDD process which also now includes fingerprinting as it always has for the public school preK programs.

The third memo, which I received today was sent out by CDD on July 22nd. After reading it I am unclear as to what pertains to public school employees.

Can somebody clarify if this applies to all public school new hires after July 15th when we received the first memo, or if I am supposed to be making sure that all 60 plus of my ECP staff go get refingerprinted before school starts?

Does it apply to public school employees at all since the July 2016 memo specifies private providers only?

Any clarification would be greatly appreciated. How are you all interpreting this?
Thanks,

Michelle Spence

On Tue, Jul 12, 2016 at 8:49 AM, Riegel-Garrett, Melissa
<Melissa.RiegelGarrett@vermont.gov> wrote:

Hi all~

The attached memo about fingerprinting process went out last week. The background is that ALL regulated early childhood programs will need to have ALL of their staff fingerprinted under new federal regulations. Prequalified programs have been identified as phase 1 to bring into the child development division (CDD) system and they will be receiving communication directly from CDD this week explaining this. The attached memo is intended to advise Superintendents about the CDD fingerprinting process.

Thanks, Melissa

Melissa Riegel-Garrett, M.Ed.
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Memorandum

To: Licensed and Registered 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 22, 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 these programs 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.

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 have submitted an application, please begin the following process immediately:

Submit the 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 from CDD as to whether individuals meet CDD regulations or if an individual is considered prohibited from work in child care and preschool programs

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.

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

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

Please direct any questions about this memo or the process to Shanna Smith at Shanna.Smith@vermont.gov

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.

--

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"Everybody needs beauty as well as bread, places to play in and pray in, where nature may heal and cheer and give strength to body and soul alike" ~ John Muir~