

From: Schatz, Ken [Ken.Schatz@vermont.gov]

Sent: Friday, August 26, 2016 5:48 PM

To: Pepper, James; Benedict, Jennifer; Murphy, Reeva; Wisdom, Leslie; Holcombe, Rebecca

Subject: RE: Act 166 memos

Attachments: RH_Memo to Supts Principals_PreK Background Checks_7__15_2015.pdf; Holcombe and Cohen_PreK_Fingerprinting Services_7_2016.pdf; FW: Update on Child Care Licensing Record Check Process and Fingerprinting; FW: Urgent Reminder for Prequalified Prekindergarten Education Programs Regarding Fingerprinting; Memo - Act 166 and Background Checks for Pre-K Providers.pdf; Act 166 Background Checks - August 2016.pdf; FW: Update and New Information on Fingerprinting for Prequalified Prekindergarten Programs!

Pepper,

Here are the major memos I could get to quickly:

- July 15, 2015 Memo to Superintendents and Principals from Rebecca
- July, 2016 Memo to Public and Private Providers of Publicly Funded Pre-K from Rebecca and Hal
- July 22, 2016 Memo to Licensed and Registered Child Care Providers
Prequalified Prekindergarten Education Programs from CDD
- August 5, 2016 Memo to all prequalified prek programs from CDD
- August 19, 2016 Memo to Superintendents from Justin
- August 19, 2016 Memo to School Board Chairs and Superintendents from Nicole Mace, Jeffrey Francis and Laura Soares
-

I trust others will pass along any others that have gone out.

Ken

Ken Schatz
Commissioner
Department for Children and Families
802-241-0927

From: Pepper, James

Sent: Friday, August 26, 2016 5:18 PM

To: Schatz, Ken <Ken.Schatz@vermont.gov>; Benedict, Jennifer <Jennifer.Benedict@vermont.gov>; Murphy, Reeva <Reeva.Murphy@vermont.gov>; Wisdom, Leslie <Leslie.Wisdom@vermont.gov>; Holcombe, Rebecca <Rebecca.Holcombe@vermont.gov>

Subject: Act 166 memos

Hi Ken and Rebecca – Can you please send me every memo related to Act 166 that has gone out to superintendents and/or providers starting with the June 2, 2015 memo from Holcombe?

I want to make sure I have them all in one place.

James Pepper


Office of the Governor

Director of Intergovernmental Affairs and Policy Advisor

O: (802) 828-6403

C: (802) 279-1086

MEMORANDUM

TO: Superintendents and Principals
FROM: Rebecca Holcombe, Secretary of Education 
COPY: Alyson Richards, Governor's Liaison; Hal Cohen, Secretary, AHS; Ken Schatz, Commissioner, DCF; Reeve Murphy, Deputy Commissioner, DCF; Jeff Francis, VSA Executive Director; Ken Page, VPA Executive Director; Steve Dale, VSBA Executive Director; Martha Allen, President, VT-NEA; Julie Coffey, Executive Director
SUBJECT: Background Checks for Pre-K Providers
DATE: July 15, 2015

As we continue to prepare for the transition to Universal Pre-K on July 1, 2016, I would like to clarify the applicability of Section 255 of Title 16 ("background check law") to private Pre-K providers that will be partnering with school districts to deliver universal Pre-K to Vermont's public Pre-K students. In 2009, the Legislature passed Act 1, "An Act Relating to Improving Vermont's Sexual Abuse Response System." In Act 1, the Legislature intended to implement a coordinated approach to stopping abuse before it happens, not just responding to the crime of abuse against a child. A key component of Act 1 was the background check provisions related to those persons who may have unsupervised contact with school children. 16 V.S.A. § 255.

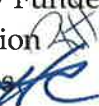

With the passage of Act 166 of 2014, we have redefined when school begins for our children. With that revised definition, to now include 3, 4 and 5 year olds not yet enrolled in kindergarten, comes an expanded construct of a "school setting." This expansion of the school setting now captures publicly funded Pre-K students in a public Pre-K setting and also those publicly funded Pre-K students enrolled in a private Pre-K program that partners with a school district under Act 166.

Accordingly, **the background check provisions of Section 255 of Title 16 will apply to any person who may have unsupervised contact with Pre-K students in a public or private Pre-K program that receives public funds pursuant to Act 166 of 2014.**

Those districts moving forward with implementation for 2015-2016 are required to coordinate with partnering providers to ensure that the background check processes set forth in Section 255 are carried out. We know that you are very familiar with the background check requirements in Title 16, Section 255 as you must follow them presently for staff and contractors and others who may come into unsupervised contact with school children. For early implementers of Act 166, please comply with the requirements in Title 16, Section 255 for all private prequalified prekindergarten education providers no later than October 2015.

If you have any follow-up questions, please contact the Agency of Education Legal Division, Gregory J. Glennon, General Counsel, at 802-479-1756.

MEMORANDUM

TO: Public and Private Providers of Publicly Funded Pre-K
FROM: Rebecca Holcombe, Secretary of Education 
Hal Cohen, Secretary of Human Services 
COPY: Superintendents, Principals
SUBJECT: Fingerprinting services for all providers of Pre-K under Act 166
DATE: July 2016

Last year, existing fingerprinting services (through user agreements between VCIC and Vermont's Superintendents in early adopting districts for Act 166) accommodated all providers of Pre-K under Act 166. The Child Development Division (CDD) of DCF/AHS is taking over this function in FY17, and will provide or support fingerprinting services for employees at centers and family day cares that provide publicly funded Pre-K. When complete, DCF/CDD will provide superintendents with an assurance that preapproved private providers have met all requirements, including the fingerprinting.

We understand DCF/CDD is working through the logistics of becoming a Vermont Crime Information Center (VCIC) user for the first time for this purpose.

Because a large number of Act 166 providers are seeking approval and fingerprinting for the first time in this full implementation phase of universal Pre-K, it is possible many providers will experience long delays in receiving results from DCF/CDD with respect to the outcomes of its comprehensive VCIC checks of all staff at Act 166 centers.



From: Mattison, Heather [Heather.Mattison@vermont.gov]
Sent: Friday, July 22, 2016 12:55 PM
To: Schatz, Ken; Cohen, Hal; Holcombe, Rebecca
CC: DiRuocco, Luciana; Wisdom, Leslie; Benedict, Jennifer; Murphy, Reeva
Subject: FW: Update on Child Care Licensing Record Check Process and Fingerprinting

Hello,

The memo below was sent out to child care programs today.

Thank you,

Heather Mattison
Operations Administrator
VT DCF Child Development Division
NOB 1 North, 280 State Drive, Waterbury, VT 05671-1040
802-241-0816 or 1-800-649-2642
Fax: 802-241-0846
heather.mattison@state.vt.us

News from the Division: We heard you! You asked for better communication about what is going on in the division, and we are working on responding to your needs. The first step we have taken is to develop an email group of updates and news. The new email group is open to anyone that would like to hear from us. To join this email group and receive information go to <http://eepurl.com/nv5V1> or go to our website <http://dcf.vermont.gov/cdd> and click on the link on the right.

From: VT DCF Child Development Division
[\[mailto:heather.mattison=vermont.gov@mail55.suw11.mcdlv.net\]](mailto:heather.mattison=vermont.gov@mail55.suw11.mcdlv.net) **On Behalf Of** VT DCF Child Development Division
Sent: Friday, July 22, 2016 11:58 AM
To: Mattison, Heather <Heather.Mattison@vermont.gov>
Subject: Update on Child Care Licensing Record Check Process and Fingerprinting

Record check and implementation of NEW fingerprinting requirements.

[View this email in your browser](#)



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.



Share



Tweet



Forward

Copyright © 2016 Vermont Department for Children and Families, Child Development Division, All rights reserved.

You are receiving this email because you opted in to receive general updates from the Child Development Division at our website or by emailing a division staff person.

Our mailing address is:

Vermont Department for Children and Families, Child Development Division
103 South Main Street
2 North
Waterbury, VT 05671-2901

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)

From: Mattison, Heather [Heather.Mattison@vermont.gov]
Sent: Friday, August 05, 2016 4:58 PM
To: Schatz, Ken; Vastine, Karen; Benedict, Jennifer; Murphy, Reeve; Smith, Shanna
Subject: FW: Urgent Reminder for Prequalified Prekindergarten Education Programs Regarding Fingerprinting

Hello

This email message just went out to all prequalified prek programs.

Thank you,

Heather Mattison
Operations Administrator
VT DCF Child Development Division
NOB 1 North, 280 State Drive, Waterbury, VT 05671-1040
802-241-0816 or 1-800-649-2642
Fax: 802-241-0846
heather.mattison@state.vt.us

News from the Division: We heard you! You asked for better communication about what is going on in the division, and we are working on responding to your needs. The first step we have taken is to develop an email group of updates and news. The new email group is open to anyone that would like to hear from us. To join this email group and receive information go to <http://eepurl.com/nv5V1> or go to our website <http://dcf.vermont.gov/cdd> and click on the link on the right.

From: VT DCF Child Development Division
[mailto:heather.mattison=vermont.gov@mail233.wdc02.mcdlv.net] **On Behalf Of** VT DCF Child Development Division
Sent: Friday, August 05, 2016 4:54 PM
To: Mattison, Heather <Heather.Mattison@vermont.gov>
Subject: Urgent Reminder for Prequalified Prekindergarten Education Programs Regarding Fingerprinting

Urgent Reminder for Prequalified Prekindergarten Education Programs
Regarding Fingerprinting

[View this email in your browser](#)



Urgent Reminder for Prequalified Prekindergarten Programs Regarding Fingerprinting

Thank you to the programs who have completed the census and record check authorization forms and sent them to CDD!

We have not received complete packets of record check authorization forms from the majority of prequalified prekindergarten programs.

- You must complete and send the census and record check authorization forms for all staff to CDD no later than August 19th.
- Delays in sending these forms and getting fingerprints taken may result in problems with payments for prekindergarten for private programs under Act 166 in September.
- If you are unable to comply please contact the division at 1-800-649-2642 and press 0.

Please complete and send to the division:

- [Record Check Census Form](#) - including all staff that work in your program, and
- A signed [Record Check Authorization Form](#) for every staff person in your program

When you receive the Fingerprint Authorization Certificate from the Division, it is critical that all are fingerprinted as soon as possible in order to reduce delays. A list of fingerprint identification centers is available on the Vermont Crime Information Center (VCIC) website: <http://vcic.vermont.gov/ch-information/record-checks/fingerprint-id-centers/contacts>

If you or your staff have trouble making timely fingerprinting appointments, please contact Shana Smith at shanna.smith@vermont.gov or Jennifer Benedict at jennifer.benedict@vermont.gov

We need to hear from you!

Help CDD and the Agency of Education ensure compliance with Act 166 fingerprint supported background checks before the start of the 2016-2017 school year. Please complete this short survey so we can check on the status of fingerprinting for all Prequalified Prekindergarten Education Programs and avoid payment problems for private programs. Please complete this survey: https://www.surveymonkey.com/r/Prek_fingerprinting about your staffs' fingerprinting background check status.

Thank you!

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. If you program has multiple sites, and staff who work in several of those sites you may use the [revised Multi-Site Record Check Authorization Form](#).
- 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.

Copyright © 2016 Vermont Department for Children and Families, Child Development Division, All rights reserved.

You are receiving this email because you opted in to receive general updates from the Child Development Division at our website or by emailing a division staff person.

Our mailing address is:

Vermont Department for Children and Families, Child Development Division

103 South Main Street

2 North

Waterbury, VT 05671-2901

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)



State of Vermont
Agency of Administration
Office of the Secretary
Pavilion Office Building
109 State Street
Montpelier, VT 05609-0201
www.aoa.vermont.gov

[phone] 802-828-3322
[fax] 802-828-3320

Justin Johnson, Secretary

MEMORANDUM

TO: Superintendents
FROM: Justin Johnson, Secretary of Administration
CC: Hal Cohen, Secretary of Human Services
Rebecca Holcombe, Secretary of Education
Ken Schatz, Commissioner of Department for Children and Families
SUBJECT: Act 166 and Background Checks for Pre-K Providers
DATE: August 18 2016

I am writing on behalf of the Administration to update you on the Act 166 universal Pre-K implementation process as we prepare for this upcoming academic school year. We know that you have been working hard to implement Act 166 universal Pre-K and want to thank you for your efforts.

On June 2, 2015, Secretary Holcombe, in a memorandum to Superintendents and Principals, confirmed that the background check provisions of Section 255 of Title 16 apply to any public or private Pre-K program that receives public funds pursuant to Act 166. Questions have arisen about what it means to comply with Section 255 of Title 16 and how that requirement intersects with the ability to receive public funds pursuant to Act 166. Questions have also arisen about how the new fingerprint supported background requirement in the childcare licensing regulations adopted by the Child Development Division of the Department for Children and Families (CDD) intersect with the obligations under Section 255 of Title 16. This memorandum is intended to provide clarification on those two questions and guidance for Superintendents.

Guidance to Superintendents in Providing Act 166 Pre-K Funds to Providers

1. Individual Pre-K providers must have a contract or agreement with a school district to receive Act 166 funds.
2. Prequalification by the Agencies of Education and Human Services does not currently include a fingerprint supported background check requirement.
3. Employees of programs that were fingerprinted through their supervisory union last year will NOT need to be fingerprinted in this round of background checks.
4. In order for public and private prequalified providers that did not participate last year to be eligible for Act 166 funding:
 - a. All employees must have requested a fingerprint supported background check
 - b. Any employee who has requested a fingerprint supported background check but is awaiting results SHALL NOT have unsupervised contact with Pre-K students

- c. Superintendents may require assurances or other guarantees from Pre-K providers that any staff who have not yet been cleared through the fingerprint supported background check process will not have unsupervised access to children.
- d. The prohibition on having unsupervised contact with children will be eliminated upon receipt of a satisfactory fingerprint supported clearance

Background Check Clearance Process

Questions have also been raised about who may make the fingerprint supported background check request required by Section 255 of Title 16 and whether CDD may perform that function on behalf of Superintendents. Section 1 of Act 166 (16 V.S.A. §829(c)), provides that the Agencies of Education and Human Services jointly determine qualification of public and private providers for purposes of Act 166. All public and private Pre-K providers are currently licensed by CDD and as such are subject to thorough background check requirements through CDD. The Administration here confirms that the joint authority under Act 166 to qualify Pre-K providers under the CDD's fingerprint supported background check process will also be sufficient to meet the requirements of Section 255 of Title 16. This position is consistent with the message shared in the July 2016 memo to public and private Pre-K providers, as well as Superintendents and Principals, that CDD may provide assurances to Superintendents with respect to fingerprinting for purposes of complying with Section 255 of Title 16.

The Administration appreciates the different roles and many different players that are involved in implementing and providing Pre-K education to Vermont's 3, 4 and 5-year-old children. Thank you for your continued partnership in implementing Act 166 Pre-K for Vermont's preschool children. Our goal is to get as many Pre-K program staff fingerprint cleared before the beginning of the school year. To that end, we are working closely with VCIC to ensure that background checks for Pre-K staff are processed as quickly as possible.

If you have any questions about fingerprinting clearances by CDD, please contact Jen Benedict (802-224-6236) or Shanna Smith (802-241-0826) at CDD.



Vermont
Superintendents
Association

To: School Board Chairs and Superintendents
From: Nicole Mace, Vermont School Boards Association
Jeffrey Francis, Vermont Superintendents Association
Laura Soares, Vermont School Boards Insurance Trust
Re: Fingerprint-Supported Criminal Record Checks for Private Pre-K Providers
Date: August 19, 2016

This memo is intended to provide additional guidance to school district officials in light of the August 19th memo from the the Secretary of Administration on Act 166 and Background Checks for Pre-K Providers.

When the legislature adopted Act 166, ensuring universal access to prekindergarten for Vermont's 3 and 4 year olds, our Associations supported the law because we believe strongly in the benefits of high quality early education, especially for our most vulnerable children.

With the passage of Act 166, the state expanded the definition of public education to include prekindergarten, which can be provided in a public or private setting.¹ Accordingly, in July of 2015, the Agency of Education issued a memo to superintendents and principals clarifying that the background check provisions of 16 VSA §255 “apply to **any person** who may have unsupervised contact with Pre-K students in a public or private program” that receives funding pursuant to Act 166.

The obligation to administer Act 166 is jointly shared by the Agencies of Human Services and Education. We are now aware that since January of 2016, the Agency of Education (AOE) and the Agency of Human Services (AHS) have been working to determine the best methods to both inform school districts of the record check requirements and ensure they are fulfilled.

¹ Title 16 now defines “elementary education” as a “program of public school education adapted to the needs of students in prekindergarten, kindergarten, and the first six grades” (16 VSA 11(3)).

In July of 2016, superintendents and principals received a memo from AHS and the AOE indicating that the Child Development Division (CDD) of AHS would provide or support fingerprinting services for employees at preapproved private Pre-K providers, and would provide superintendents with assurances that preapproved private providers have had their fingerprints completed and cleared.²

The AHS/AOE memo also states, “Because a large number of Act 166 providers are seeking approval and fingerprinting for the first time in this full-implementation phase of universal Pre-K, **it is possible many providers will experience long delays in receiving results** from DCF/CDD” regarding the outcomes of the VCIC criminal record checks.

Many school officials have been proceeding under the assumption that CDD is responsible for ensuring the background checks have been conducted and cleared. Many are relying on the fact that if a provider is “preapproved” by CDD, that preapproval may serve as an assurance that all criminal record check requirements have been completed. **That is not the case.**

By law, superintendents are required to request criminal record and abuse registry checks for any person directly under contract or any employee of a contractor under contract who may have unsupervised contact with school children.³ The law defines “unsupervised” as “not in the presence of a responsible adult **in the employ of or under the direction of** the...school district.”⁴

The August 19th memo from the Administration suggests that superintendents may require assurances or other guarantees from private Pre-K providers that any staff who have not been cleared will not have unsupervised access to children, thus making them eligible to receive Act 166 Pre-K funds. **But given the definition of “unsupervised,” in 16 V.S.A. §252(4), we question whether assurances from private providers can satisfy the district’s obligation to ensure that there is a responsible adult present supervising any employee who has not yet been cleared.**

In the event you have contracts with preapproved private providers and cannot assure that all employees have been cleared, we strongly urge you to

² We see no provision in the law that would allow CDD to serve as an intermediary between superintendents and VCIC. 16 VSA 255(a)(4) states that VCIC requests for contractors’ employee checks **shall** be made through a superintendent.

³ 16 V.S.A. §255(a)(2) & (3)

⁴ 16 V.S.A. §252(4)

contact your attorney to determine how to proceed. You may need to delay payments to private providers until all of their employees have been cleared through fingerprint supported background checks.

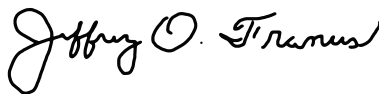
If your supervisory union/district is a member of VSBIT's Multi-Line program, please do not hesitate to contact Don Morrill (don@vsbit.org) for guidance on this important matter.

Please let us know if you have any questions about the above information.

Sincerely,



Nicole Mace



Jeffrey Francis



Laura Soares

Cc: Justin Johnson, Secretary of Administration
Rebecca Holcombe, Secretary of Education
Hal Cohen, Secretary of Human Services
Ken Schatz, Commissioner, Department of Children and Families

From: Benedict, Jennifer [Jennifer.Benedict@vermont.gov]
Sent: Friday, August 19, 2016 3:45 PM
To: Wisdom, Leslie; Schatz, Ken
Subject: FW: Update and New Information on Fingerprinting for Prequalified Prekindergarten Programs!

FYI, provider memo has been sent.

Jen Benedict, Director
Child Care Licensing & Financial Assistance Program
DCF – Child Development Division

(c) 802-224-6236

From: Mattison, Heather
Sent: Friday, August 19, 2016 3:12 PM
To: Benedict, Jennifer <Jennifer.Benedict@vermont.gov>
Subject: FW: Update and New Information on Fingerprinting for Prequalified Prekindergarten Programs!

Here is what went to prequalified prek programs 5 minutes ago

Thanks

Heather Mattison
Operations Administrator
VT DCF Child Development Division
NOB 1 North, 280 State Drive, Waterbury, VT 05671-1040
802-241-0816 or 1-800-649-2642
Fax: 802-241-0846
heather.mattison@state.vt.us

News from the Division: We heard you! You asked for better communication about what is going on in the division, and we are working on responding to your needs. The first step we have taken is to develop an email group of updates and news. The new email group is open to anyone that would like to hear from us. To join this email group and receive information go to <http://eepurl.com/nv5V1> or go to our website <http://dcf.vermont.gov/cdd> and click on the link on the right.

From: VT DCF Child Development Division
[<mailto:heather.mattison=vermont.gov@mail241.atl81.rsgsv.net>] On Behalf Of VT DCF Child Development Division
Sent: Friday, August 19, 2016 3:10 PM

To: Mattison, Heather <Heather.Mattison@vermont.gov>

Subject: Update and New Information on Fingerprinting for Prequalified Prekindergarten Programs!

Update and New Information on Record Checks and
Implementation of New Fingerprinting Requirements

[View this email in your browser](#)



MEMORANDUM

To: Licensed and Registered Child Care Providers
Prequalified Prekindergarten Education Programs

From: Child Development Division, Department for Children and
Families

Subject: UPDATE and NEW INFORMATION on Records Checks and
Implementation of New Fingerprinting Requirements to Prepare for Beginning
of Academic Pre-K School Year

Date: August 19, 2016

CC: Ken Schatz, Commissioner of Department for Children and
Families

Hal Cohen, Secretary of Human Services

Rebecca Holcombe, Secretary of Education

We are writing with an important update and new information on the fingerprint

record check process for Pre-K providers. This memorandum provides the most up to date information on fingerprinting that should be followed.

- If you have been fingerprint cleared for Act 166 Pre-K by school districts either last year or this year, you do not need to get fingerprinted again at this time.
- We have heard that there are challenges getting appointments at fingerprint identification centers. We are working with law enforcement to expedite this process, including requesting extended appointment hours.
- In order to comply with background check provisions in the education law and receive Act 166 funds, staff working in the Pre-K program must be fingerprint cleared before having unsupervised contact with children. This means that any Pre-K staff whose fingerprint clearances are pending must be supervised until cleared.

If you plan to provide Act 166 Pre-K and have Pre-K staff who have not yet been fingerprint cleared, it is urgent that you complete and send to CDD as soon as possible:

- [Record Check Census Form](#) - including all Pre-K staff that work in your program, and
- A signed [Record Check Authorization Form](#) for every Pre-K staff person in your program

When you receive the Fingerprint Authorization Certificate from CDD, it is critical that all Pre-K staff are fingerprinted as soon as possible. A list of

fingerprint identification centers is available on the Vermont Crime Information Center (VCIC) website: <http://vcic.vermont.gov/ch-information/record-checks/fingerprint-id-centers/contacts>



Copyright © 2016 Vermont Department for Children and Families, Child Development Division, All rights reserved.

You are receiving this email because you opted in to receive general updates from the Child Development Division at our website or by emailing a division staff person.

Our mailing address is:

Vermont Department for Children and Families, Child Development Division
103 South Main Street
2 North
Waterbury, VT 05671-2901

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)