



Types and Frequency of Required Background Checks in 2011 Family Child Care Homes

Comprehensive background checks are a basic safeguard essential to protect the safety of children in child care and minimize children’s risk of abuse and neglect. Parents need to know that child care providers and others who come into contact with their children do not have a record of violent offenses, sex offenses, child abuse or neglect, or have not engaged in other behaviors that should disqualify them from caring for children. In an Information Memorandum to State, Territorial, and Tribal Lead Agencies administering child care programs under the Child Care and Development Block Grant (CCDBG), the Office of Child Care (OCC) recommends that all child care providers undergo comprehensive criminal background checks prior to working with young children.¹

The following table includes information about the types of criminal background checks that States require **family child care home** (FCCH) providers to have in their licensing regulations. The table also shows the required frequency of background checks for providers. States may define family child care homes differently in their licensing requirements. For the purpose of categorizing the types of home-based child care settings States regulate, the following definition of **family child care home** from section 98.2 of the Child Care and Development Fund (CCDF) Final Rule² is used:

One individual who provides child care services for fewer than 24 hours per day, as the sole caregiver, in a private residence other than the child’s residence, unless care in excess of 24 hours is due to the nature of the parent(s)’s work.

This information was compiled from the *National Association for Regulatory Administration (NARA) Licensing Programs and Policies Survey for 2011*. This study of licensing requirements was conducted as a joint effort between the Office of Child Care’s National Center on Child Care Quality Improvement (NCCCQI) and the National Association for Regulatory Administration (NARA).

State ¹	Types of Background Checks Required for FCCH Providers					Frequency of Background Checks
	Criminal History Records	Child Abuse and Neglect Registry	Fingerprints	Sex Offender Registry	Signed Statement About Criminal Status	
AK	X	X	X	X	X	Prior to licensure or working in a facility and every 6 years
AL	X	X	X		X	Prior to licensure or working in a facility

¹ Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. (September 20, 2011). *Information Memorandum CCDF-ACF-IM-2011-06: Child Care and Development Fund (CCDF), Background Checks, Health and Safety Requirements, CCDF Plan* <http://www.acf.hhs.gov/programs/occ/resource/im2011-05>

² “Part 98 Child Care and Development Fund” in *Title 45 Public Welfare and Human Services* is available at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title45-vol1/pdf/CFR-2011-title45-vol1-part98.pdf>

State ¹	Types of Background Checks Required for FCCH Providers					Frequency of Background Checks
	Criminal History Records	Child Abuse and Neglect Registry	Fingerprints	Sex Offender Registry	Signed Statement About Criminal Status	
AR	X	X			X	Prior to licensure or working in a facility; child abuse and neglect registry checks are conducted every 2 years, and criminal history records checks are conducted every 5 years
AZ*	NL	NL	NL	NL	NL	Facility Not Licensed (NL)
CA	X	X	X	X	X	Prior to licensure or working in a facility; and as needed, such as when there is notification of a new criminal record
CO	X	X	X	X	X	Fingerprints are submitted at the time the application is made. A child abuse and neglect check on all family members is automatically done when the application is entered into the licensing database.
CT	X	X	X		X	Prior to licensure or working in a facility
DC	X	X	X			Prior to licensure or working in a facility
DE	X	X	X		X	Prior to licensure or working in a facility
FL	X	X	X	X	X	Prior to licensure or working in a facility and every 5 years
GA	X		X	X	X	Prior to licensure or working in a facility
HI	X	X	X	X	X	Prior to licensure or working in a facility and annually
IA	X	X		X	X	Prior to licensure or working in a facility and every 2 years
ID*	NL	NL	NL	NL	NL	NL
IL	X	X	X	X	X	Prior to licensure or working in a facility
IN*	NL	NL	NL	NL	NL	NL
KS*	NL	NL	NL	NL	NL	NL
KY	X	X		X		Prior to licensure or working in a facility and every 2 years
LA*	NL	NL	NL	NL	NL	NL

State ¹	Types of Background Checks Required for FCCH Providers					Frequency of Background Checks
	Criminal History Records	Child Abuse and Neglect Registry	Fingerprints	Sex Offender Registry	Signed Statement About Criminal Status	
MA	X	X		X	X	Prior to licensure or working in a facility and every 3 years
MD	X	X	X			Prior to licensure or working in a facility
ME	X	X		X	X	Prior to licensure or working in a facility
MI	X	X	X	X		Prior to licensure or working in a facility and every 3 years
MN	X					Prior to licensure or working in a facility and every 2 years
MO	X	X		X		Prior to licensure or working in a facility and every 2 years
MS	X	X	X	X		Every 5 years
MT	X	X				Prior to licensure or working in a facility and annually
NC	X		X		X	Prior to licensure or working in a facility and every 3 years
ND	X	X	X	X	X	Prior to licensure or working in a facility and annually
NE		X			X	No information provided
NH	X	X	X	X		Prior to licensure or working in a facility and every 3 years
NJ*	NL	NL	NL	NL	NL	NL
NM	X	X	X		X	Prior to licensure or working in a facility
NV	X	X	X		X	Every 6 years
NY	X	X	X		X	Prior to licensure or working in a facility
OH*	NL	NL	NL	NL	NL	NL
OK	X	X		X	X	Prior to licensure or working in a facility and child welfare check annually on household members
OR	X	X			X	Prior to licensure or working in a facility and every 2 years with renewal application
PA	X	X	X			Prior to licensure or working in a facility

State ¹	Types of Background Checks Required for FCCH Providers					Frequency of Background Checks
	Criminal History Records	Child Abuse and Neglect Registry	Fingerprints	Sex Offender Registry	Signed Statement About Criminal Status	
RI	X	X	X		X	Prior to licensure or working in a facility and every 2 years
SC	X	X	X	X	X	Prior to licensure or working in a facility and annually
SD*	NL	NL	NL	NL	NL	NL
TN	X	X	X	X	X	Prior to licensure or working in a facility
TX	X	X			X	Prior to licensure or working in a facility and every 2 years
UT	X	X			X	Prior to licensure or working in a facility and annually
VA*	NL	NL	NL	NL	NL	NL
VT	X	X			X	Annually
WA	X	X	X	X	X	Prior to licensure or working in a facility and every 3 years
WI	X	X		X	X	Prior to licensure or working in a facility and annually
WV	X	X	X	X	X	Every 5 years
WY		X		X	X	Prior to licensure or working in a facility
Number of States	39	39	26	23	33	

¹States includes the District of Columbia for a total of 51 entities.

*Arizona, Idaho, Indiana, Kansas, Louisiana, New Jersey, Ohio, South Dakota, and Virginia do not license FCCHs as defined by the CCDF Final Rule. Most of these States license home-based providers that meet the definition of a group child care home.³ Idaho, Louisiana, and New Jersey do not have mandatory licensing requirements for home-based providers.

The Office of Child Care's National Center on Child Care Quality Improvement does not endorse any non-Federal organization, publication, or resource.

³ A group child care home is defined in the CCDF Final Rule as two or more individuals who provide child care services for fewer than 24 hours per day, in a private residence other than the child's residence, unless care in excess of 24 hours is due to the nature of the parent(s)'s work.