

Fingerprint Considerations and Resources

The CCDBG Act of 2014 (the Act) requires Child Care and Development Fund (CCDF) State, Territory and Tribal Lead Agencies to complete comprehensive background checks for child care staff members and prospective staff members. 45 CFR 98.43(b) of the Final CCDF Rule specifies that criminal background checks of the Federal Bureau of Investigation (FBI) Next Generation Identification (NGI) system and criminal repository of the current state of residence must include fingerprints. The use of fingerprints is optional for checks of the criminal repositories in which a child care staff member previously resided.

Live Scan or Paper and Ink Fingerprints

Fingerprinting, either through electronic “live scans” or paper and ink “hard cards,” is required for the FBI fingerprint check conducted for employment and licensing purposes. Live scan fingerprints have significant advantages over ink prints. Rolled (ink) fingerprints have rejection rates that can range up to 60%. Some states/territories that currently use rolled prints require child care staff members to submit more than one set of prints for this reason. Ink prints that are not readable can result in weeks or months of delays in completing the process. Conversely, the FBI reports turnaround times of less than 24 hours in cases involving the use of live scan fingerprints.

It should also be noted that while local police agencies take fingerprints and may provide broad coverage statewide, they generally will not submit the fingerprints for employment and licensing purposes to the FBI. Police agencies use the rolled print method ([FBI form FD-258](#)) and give the form directly to the staff member. The individual will then need to submit the form to the State Agency or provider by mail or in-person. It is for these reasons that it is recommended that State Agencies should make use of live fingerprint scans to the maximum extent possible.

Considerations for Implementation

The below planning guide contains key questions and considerations for implementing fingerprint supported criminal background checks. It is intended to provide a high-level overview of the decisions and strategies State Agencies may want to consider when developing infrastructure and processes for implementing requirements of the CCDF Final Rule. Each question includes space to record notes and planning steps.

FINGERPRINT PLANNING GUIDE

Topic	Notes and Strategies
<p>1. What discussions have taken place with involved entities?</p> <ul style="list-style-type: none"> • State and local criminal justice agencies • Child care licensing agencies • Internal discussions for processing criminal background checks for child care providers 	
<p>2. Has implementation legislation and/or regulation been introduced?</p> <ul style="list-style-type: none"> • Statute and regulations for all involved agencies • Program policy and procedures • Interagency agreements or memoranda of understanding 	
<p>3. What infrastructure already exists to obtain fingerprints?</p> <ul style="list-style-type: none"> • Local access to live scan or ink print locations • Private live scan vendors • FBI approved channelers • Secure state intranet access • Electronic transmission/communication methods, e.g. web portals or file transport protocols • Secure exchange of personally identifiable information (PII) 	
<p>4. What needs to be done to provide the broadest coverage statewide and in local jurisdictions?</p> <ul style="list-style-type: none"> • Existing criminal justice agencies have sufficient coverage • Live scan locations are in place • Mobile unit availability and use 	

Topic	Notes and Strategies
<p>5. Does the structure provide optimal access and turnaround time for providers and within the 45-day timeframe required by law?</p> <ul style="list-style-type: none"> • Coverage is adequate statewide • Access is needed in additional locations • Adequate capacity to transmit PII data securely 	
<p>6. What are the options – buy live scan equipment, lease, contract with a vendor, or use an FBI approved channeler?</p>	
<p>7. Have FBI channelers been considered? FBI approved channelers can transmit fingerprints directly to the FBI and copy the State Agency, but State Agencies still need to submit and complete in-state fingerprint checks of their criminal justice registry.</p> <ul style="list-style-type: none"> • Is your state criminal justice agency willing to work with an approved FBI channeler to accept and complete fingerprint checks of the in-state and FBI criminal registries? • If not, this option might not be practical because your state would need to establish separate processes for completing FBI and checks of the in-state criminal repository. 	
<p>8. Which is the most practical, efficient, and least costly option for implementation:</p> <ul style="list-style-type: none"> • Use existing infrastructure? • Purchase additional live scan equipment and staffing resources? • Contract with a live scan vendor and arrange for the transmission of fingerprint images to state criminal justice or other state agency? • Contract with and FBI approved channeler? • Purchase mobile live scan units? • Other? 	

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<p>9. Will results be added to a central child care employee registry for tracking purposes?</p> <ul style="list-style-type: none"> • Child care employee background history will reside in a central registry • Data transmission and communication protocols need development • RAP-Back subscriptions will be employed • ID cards could be issued for staff who change providers 	
<p>10. What are the staffing needs?</p> <ul style="list-style-type: none"> • Initial volume estimates for existing child care employees • Annual staff turnover ratios and new hires • Implementation involves a plan for staggering background checks for existing employees to mitigate workload burden 	