



NATIONAL CENTER ON
Subsidy Innovation and Accountability



Comprehensive Background Checks (CBC) Intensive Technical Assistance Plan for State and Territory Lead Agencies

2020-2021

Introductions

Stephanie Murray

Child Care Program Specialist
Office of Child Care

Theresa Campisi

Comprehensive Background Checks TA Lead
NCSIA

Agenda



- Check-In
- Background Check Topics
- Intensive CBC TA Project Overview
- High Level Tasks and Deliverables
- Timeline of Activities (2020)

Check-In

- **Year in Review**
 - Environmental Scan Interviews/Surveys
 - FBI's NCIC NSOR Technical Solution
 - COVID-19 Disruptions
 - Waiver Requests
 - T-STAM
 - CCDF State and Territory Preprint
 - New Consumer Education Website Requirements
 - ...Looking Ahead
 - Technical Assistance and Other Resources

Background Check Topics

In-State Checks

In-State Criminal History Check*

In-State Sex Offender Check

In-State Child Abuse and Neglect Check

National Checks

FBI Fingerprint Check*

National Crime Information Center
National Sex Offender Registry
(NCIC NSOR)
Name Based Check

Interstate Checks

Interstate Criminal History Check

Interstate Sex Offender Check

Interstate Child Abuse and Neglect Check

(*) Fingerprint Required

Criminal Justice Agency

- Criminal and Sex Offender Checks
- National Checks

Child Welfare Agency

- Child Abuse and Neglect Checks

Background Check Topics

- **What is a State Identification Bureau (SIB)?**

An SIB maintains the criminal history repository for your state. Your state's SIB could be your state's police department, department of public safety, criminal records division, investigative bureau, criminal justice agency, etc.

A listing of SIBs can be found at:

<https://www.fbi.gov/services/cjis/identity-history-summary-checks/state-identification-bureau-listing>

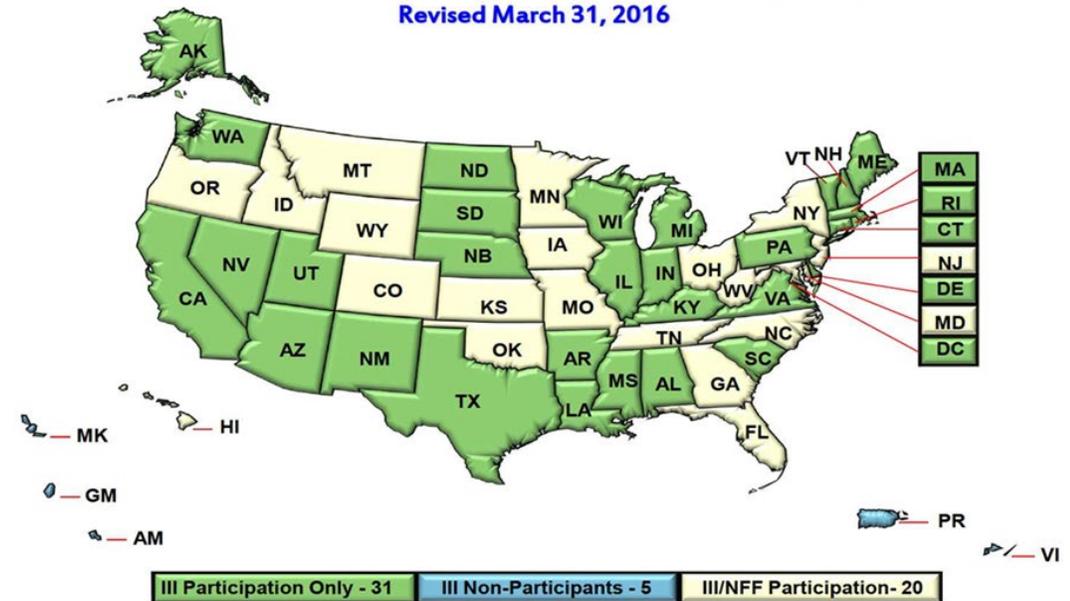
Background Check Topics

The FBI Criminal Justice Information Services (CJIS) Division will work directly with the SIB should a child care agency have questions regarding the following:

- National fingerprint-based FBI background check
- National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) search
- Participating in the FBI's Rap Back Services
- Participating in the National Fingerprint File (NFF) Program.

Interstate Identification Index (III) National Fingerprint File (NFF)

Revised March 31, 2016



New Resource

Background Check Basics TA Guide

This guide provides an overview of some of the implementation areas that require a partnership with the SIBs in order to meet the requirements of the law.

As such, the topics presented in this document are at the discretion of your SIB. Since participation in the NFF Program and the FBI's Rap Back Services Program are determined by the SIB, child care Lead Agencies must coordinate with their SIBs to obtain additional information on these topics.

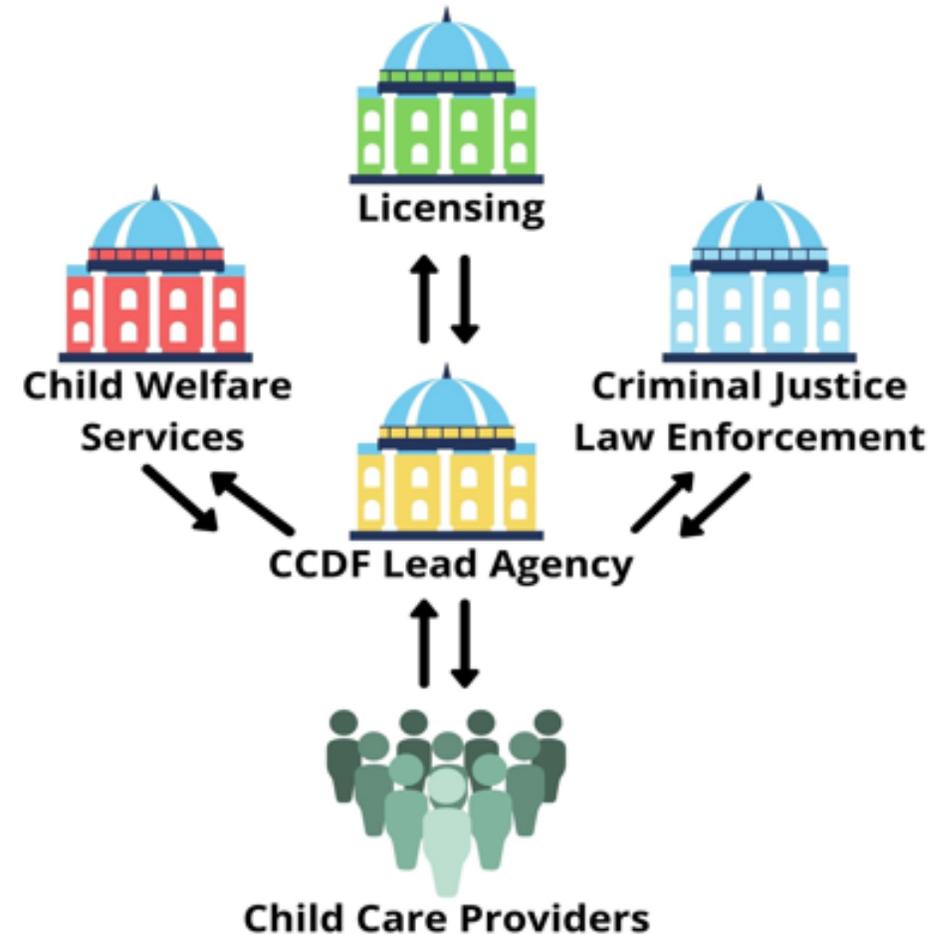
The FBI CJIS Division will work directly with the SIB should the child care agency have questions regarding the national fingerprint-based FBI background check, NCIC NSOR search, or participating in NFF or the FBI's Rap Back Services.

Available at: <https://childcareta.acf.hhs.gov/resource/child-care-background-check-basics-ta-guide>

Background Check Topics

Cultivating and maintaining in-state background check partnerships is critical to conducting CCDBG comprehensive background checks.

State Partners



Background Check Topics

Interstate Check Challenges

- Since 2014, States have faced challenges meeting the CCDBG interstate check requirements because requesting and responding to interstate background check requests is largely a manual process that varies from state to state.
- An OMB approved revision to the Consumer Education Website reporting requirement (Section 45 CFR 98.43(g) of the CCDF Final Rule) now requires states and territories to post specific information and resources pertaining to their interstate background check processes and procedures on their Consumer Education Website.

Background Check Topics

Revised Consumer Education Website Requirement

This revised reporting requirement ensures that the information needed to initiate an interstate check will be readily available to states and territories and will:

- Minimize confusion about the correct contact information and state-specific instructions needed to initiate interstate background check requests.
- Encourage the transparency needed to allow states and territories to exchange information and to ensure that there are processes in place for timely responses.
- Help ensure compliance with existing background check requirements in the CCDBG Act and CCDF Final Rule

Background Check Topics

Revised Consumer Education Website Requirement

- State and Territory Lead Agencies will be required to answer questions around this new Consumer Education Website requirement in Section 2 and Section 5 the FFY 2022-24 State and Territory Child Care and Development Fund (CCDF) Plan.
- States and Territories will have flexibility regarding how to implement this information collection provision (i.e. web page format, providing links to existing sources), but the web page must include the following elements for each type of interstate check.

Background Check Topics

Required elements for Consumer Education Website (guidance is forthcoming):

Interstate Criminal Background Check	Interstate Sex Offender Registry (SOR) Check	Interstate Child Abuse and Neglect (CAN) Registry Check
<ul style="list-style-type: none"> • Agency Name • Address • Phone Number • Email • Fax • Website • Instructions (e.g. Does a portal/system account need to be created to make a request, types of identification needed, types of payment accepted, appeals, how will forms be accepted, FAQs) • Forms • Fees • National Fingerprint File (NFF) State (Yes/No) • National Crime Prevention and Privacy Compact State (Yes/No) 	<ul style="list-style-type: none"> • Agency Name • Address • Phone Number • Email • Fax • Website • Instructions (e.g. Does a portal/system account need to be created to make a request, types of identification needed, types of payment accepted, appeals, how will forms be accepted, FAQs) • Forms • Fees 	<ul style="list-style-type: none"> • Agency Name • Address • Phone Number • Email • Fax • Website • Instructions (e.g. Does a portal/system account need to be created to make a request, types of identification needed, types of payment accepted, appeals, how will forms be accepted, FAQs) • Forms • Fees

Comprehensive Background Checks (CBC) Intensive Technical Assistance (TA) Project Overview

CBC Intensive TA Project Overview

- NCSIA will provide tailored technical assistance to Lead Agencies in partnership with OCC, which may include:
 - Cohorts of Lead Agencies with similar challenges
 - Virtual or on-site visits with Lead Agencies and partnering agencies
 - Phone conference with Lead Agencies and partners
- NCSIA is dedicated to developing a plan and providing support to each state to achieve full compliance with the CCDBG Act comprehensive background check requirements.

Objective of CBC Intensive TA

- NCSIA, in partnership with OCC, will provide intensive TA to Lead Agencies and partner agencies to achieve full compliance with the CCDBG Act comprehensive background check requirements by:
 - Assisting in developing a work plan with Lead Agency and their partner agencies
 - Provide analysis of work plans
 - Track progress of milestones and desired outcomes
 - Tracking project progress, accountability, completion and success

High-Level Tasks and Deliverables

- In conjunction with OCC, NCSIA will develop materials to assist states in implementing comprehensive background checks.
- NCSIA will provide a report to OCC that identifies key CBC challenges, gaps, common solutions in use, and the lessons learned to date.
- The report will be used to assist OCC in the development of updated policies, Program Interpretation Questions (PIQs), and FAQs.

High-Level Tasks and Deliverables

OCC	NCSIA	Lead Agency	Child Care Provider
1. Introduce intensive TA to all Lead Agencies	1. Conduct focus group meetings	1. Review OCC guidance, implementation plan and policies	1. Review updated guidance and policies from Lead Agency
2. OCC RO send invitation to identified Lead Agency and state partners	2. Develop implementation plan and strategies	2. Lead Agency and Law Enforcement (State Identification Bureau (SIB)) collaboration	2. Child care providers compile list of questions
3. Analyze state plans and regularly track progress on milestones	3. Analyze state plans and regularly track progress on milestones	3. Lead Agency and CAN agency collaboration	3. Review staff and identify staff cleared and staff yet to be cleared and schedule background checks for compliance
		4. Submit new state plans to OCC for approval	4. Compliance report on cleared staff and staff scheduled for CBC checks submitted on schedule TBD by Lead Agency
		5. Provide new guidance to all child care providers	
		6. Submit regular progress report on schedule TBD by OCC	

High-Level Tasks and Deliverables

OCC	NCSIA	Lead Agency	Child Care Provider
1. Introduce intensive TA to all Lead Agencies	1. Conduct focus group meetings	1. Review OCC guidance, implementation plan and policies	1. Review updated guidance and policies from Lead Agency
2. OCC RO send invitation to identified Lead Agency and state partners	2. Develop implementation plan and strategies	2. Lead Agency and Law Enforcement (State Identification Bureau (SIB)) collaboration	2. Child care providers compile list of questions
3. Analyze state plans and regularly track progress on milestones	3. Analyze state plans and regularly track progress on milestones	3. Lead Agency and CAN agency collaboration	3. Review staff and identify staff cleared and staff yet to be cleared and schedule background checks for compliance
		4. Submit new state plans to OCC for approval	4. Compliance report on cleared staff and staff scheduled for CBC checks submitted on schedule TBD by Lead Agency
		5. Provide new guidance to all child care providers	
		6. Submit regular progress report on schedule TBD by OCC	

Office of Child Care Tasks

OCC

1. Introduce intensive TA to all State and Territory Lead Agencies

2. OCC RO send invitation to identified Lead Agency and state partners

3. Analyze state plans and regularly track progress on milestones

Task 1 – Introduce intensive TA to all State and Territory Lead Agencies

Deliverable: OCC will identify Lead Agencies with greatest need for TA based on interest from Lead Agency, as well as penalty and CAP status.

Task 2 – OCC RO sends invitation to identified Lead Agency

Deliverable: Lead Agencies will respond with their interest in participating in intensive TA.

Task 3 – Analyze state plans and regularly track progress on milestones

Deliverable 3A): Provide a “State of the State” in coordination with the NCSIA

Deliverable 3B): Require regular state progress reports

High-Level Tasks and Deliverables

OCC	NCSIA	Lead Agency	Child Care Provider
1. Introduce intensive TA to all Lead Agencies	1. Conduct focus group meetings	1. Review OCC guidance, implementation plan and policies	1. Review updated guidance and policies from Lead Agency
2. OCC RO send invitation to identified Lead Agency and state partners	2. Develop implementation plan and strategies	2. Lead Agency and Law Enforcement (State Identification Bureau (SIB)) collaboration	2. Child care providers compile list of questions
3. Analyze state plans and regularly track progress on milestones	3. Analyze state plans and regularly track progress on milestones	3. Lead Agency and CAN agency collaboration	3. Review staff and identify staff cleared and staff yet to be cleared and schedule background checks for compliance
		4. Submit new state plans to OCC for approval	4. Compliance report on cleared staff and staff scheduled for CBC checks submitted on schedule TBD by Lead Agency
		5. Provide new guidance to all child care providers	
		6. Submit regular progress report on schedule TBD by OCC	

NCSIA Tasks

NCSIA

1. Conduct focus group meetings

2. Develop implementation plan and strategies

3. Analyze state plans and regularly track progress on milestones

Task 1 – Conduct Focus Group Meeting(s)

Deliverable 1: Develop a report from the focus group meeting(s) with all Stakeholders (criminal justice agency, child abuse and neglect agency, licensing office, etc.) to identify the key challenges, gaps, common solutions in use and the lessons learned to date.

Task 2 – Develop the implementation plan and strategies

Deliverable 2A): Develop step by step guide for implementation (Playbook)

Deliverable 2B): Create knowledge base containing FAQs document

Deliverable 2C): Develop a list of valuable common business practices (from focus group discussions)

Deliverable 2D): Create a list of valuable technology products, services and solutions possible (from focus group discussion) to help familiarize states with the use and benefits of each (e.g., LiveScan, database, shared partnership web portals)

Deliverable 2E): Create a list of critical milestones that must be achieved according to CBC requirements

Task 3 – Analyze State Plans and Track Milestones

Deliverable 3A): Provide a “State of the State” in coordination with the RO

Deliverable 3B): Require regular state progress reports

High-Level Tasks and Deliverables

OCC	NCSIA	Lead Agency	Child Care Provider
1. Introduce intensive TA to all Lead Agencies	1. Conduct focus group meetings	1. Review OCC guidance, implementation plan and policies	1. Review updated guidance and policies from Lead Agency
2. OCC RO send invitation to identified Lead Agency and state partners	2. Develop implementation plan and strategies	2. Lead Agency and Law Enforcement (State Identification Bureau (SIB)) collaboration	2. Child care providers compile list of questions
3. Analyze state plans and regularly track progress on milestones	3. Analyze state plans and regularly track progress on milestones	3. Lead Agency and CAN agency collaboration	3. Review staff and identify staff cleared and staff yet to be cleared and schedule background checks for compliance
		4. Submit new state plans to OCC for approval	4. Compliance report on cleared staff and staff scheduled for CBC checks submitted on schedule TBD by Lead Agency
		5. Provide new guidance to all child care providers	
		6. Submit regular progress report on schedule TBD by OCC	

Lead Agency Tasks

Lead Agency

1. Review OCC guidance, implementation plan and policies

2. Lead Agency and Law Enforcement (State Identification Bureau (SIB)) collaboration

3. Lead Agency and CAN agency collaboration

Task 1 – Lead Agency review of OCC guidance, implementation plan, new policies/PIQs (if any)

Deliverable 1A): Update state guidance to providers

Deliverable 1B): Develop statewide implementation plan

Deliverable 1C): Document current progress

Task 2 – Lead Agency and Law Enforcement (SIB) Partner Collaboration

Deliverable 2A): Jointly review current policies and processes (gaps, challenges, politics, resources and technology options)

Deliverable 2B): Develop a joint action plan (including costs) on how Lead Agency and Law Enforcement partner (SIB) will collaborate on implementation of child care background check requirements (CHRI, State SOR, FBI NSOR)

Task 3 – Lead Agency and CAN agency collaboration

Deliverable 3A): Jointly review current policies and processes (gaps, challenges, politics, resources and technology options)

Deliverable 3B): Develop a joint action plan (including costs) identifying how Lead Agency and CAN agency will collaborate on implementation of child care background check requirements

Lead Agency Tasks

Lead Agency

4. Submit new state plans to OCC for approval

Task 4 – Submit new state plans to OCC, for approval

Deliverables (all require OCC approval):

Deliverable 4A); Implementation plan (project plan)

Deliverable 4B): Roles and responsibilities matrix

Deliverable 4C): List of needed resources (personnel and dollars)

Deliverable 4D): Implementation timeline

5. Provide new guidance to all child care providers

Task 5 – Provide newly defined guidance to child care providers

Deliverable 5A): New guidance documents (including COVID-19 exceptions)

Deliverable 5B): Provide FAQs

6. Submit regular progress report on schedule TBD by OCC

Task 6 – Progress Report to OCC

Deliverable: Develop progress report using template provided by OCC

High-Level Tasks and Deliverables

OCC	NCSIA	Lead Agency	Child Care Provider
1. Introduce intensive TA to all Lead Agencies	1. Conduct focus group meetings	1. Review OCC guidance, implementation plan and policies	1. Review updated guidance and policies from Lead Agency
2. OCC RO send invitation to identified Lead Agency and state partners	2. Develop implementation plan and strategies	2. Lead Agency and Law Enforcement (State Identification Bureau (SIB)) collaboration	2. Child care providers compile list of questions
3. Analyze state plans and regularly track progress on milestones	3. Analyze state plans and regularly track progress on milestones	3. Lead Agency and CAN agency collaboration	3. Review staff and identify staff cleared and staff yet to be cleared and schedule background checks for compliance
		4. Submit new state plans to OCC for approval	4. Compliance report on cleared staff and staff scheduled for CBC checks submitted on schedule TBD by Lead Agency
		5. Provide new guidance to all child care providers	
		6. Submit regular progress report on schedule TBD by OCC	

Child Care Provider Tasks

Child Care Provider

1. Review updated guidance and policies from Lead Agency

2. Child care providers compile list of questions

3. Review staff and identify staff cleared and staff yet to be cleared and schedule background checks for compliance

4. Compliance report on cleared staff and staff scheduled for CBC checks submitted on schedule TBD by Lead Agency

Task 1 – Review updated guidance and policies from Lead Agency

Deliverable: Acknowledgement of review (sign-off and date)

Task 2 – Child care provider compiles list of questions

Deliverable: Review Lead Agency’s FAQs document

Task 3 – Review all staff and identify any staff to be cleared for compliance

Deliverable 3A): Provide list of staff who need to obtain background checks clearance

Deliverable 3B): Schedule needed background checks

Task 4 – Submit compliance report

Deliverable: Report compliance to Lead Agency

CBC Intensive TA Project Overview

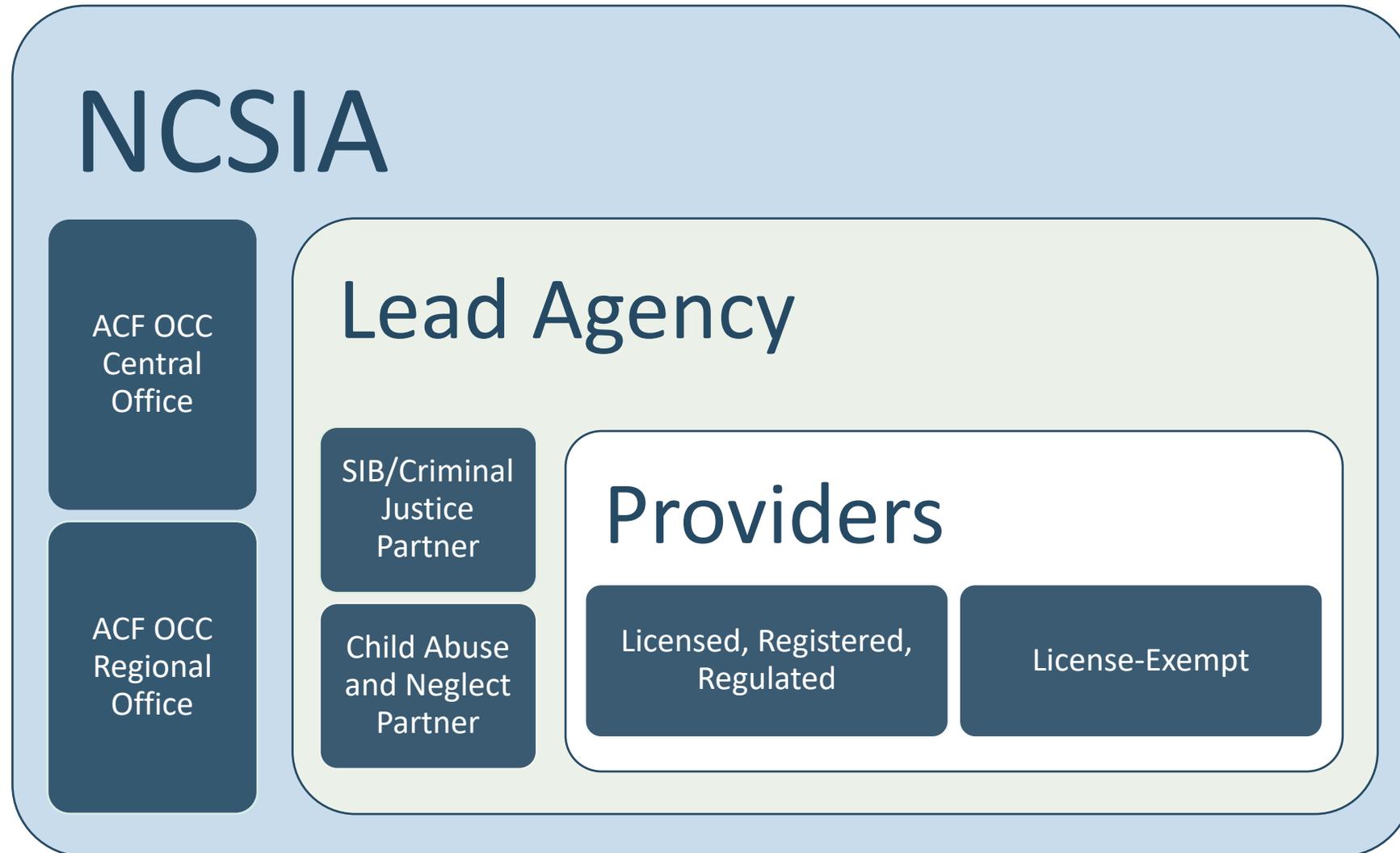
Targeted Technical Assistance

- Ten or more Lead Agencies
- Ongoing process consultation and process mapping
- Peer to peer consultation
- Document review and analysis
- Facilitation
- Interviewing
- Project Management

Intensive Technical Assistance

- Up to five Lead Agencies
- *All items listed under targeted technical assistance*
- Quarterly on-site visits
- Monthly check-in calls
- Project Management (leadership coordination)

Collaboration



New Resource

Best Practices in CCDF Comprehensive Background Checks

- The strategies and technical solutions mentioned in this brief point to the importance of inter-agency partnerships, as well as inter-state partnerships that have helped states streamline their background check processes.
- Website: <https://childcareta.acf.hhs.gov/resource/best-practices-ccdf-child-care-background-checks>

TA Timeline (2020-21)*

Announce Intensive TA Opportunities at TSTAM	Office of Child Care (OCC)	9/30/2020
National Webinar for State and Territory Lead Agencies	OCC and NCSIA	11/06/2020
Regional Offices send recommendations to Central Office	Regional Offices and Lead Agency	11/12/2020
Central Office and NCSIA review recommendations	OCC Central Office and NCSIA	11/18/2020
Invitation Letters sent to Lead Agencies	OCC and NCSIA	11/23/2020
Deadline for Lead Agencies to respond	Lead Agencies	12/2/2020
Begin Cohort Calls for Intensive and Targeted TA	OCC Central Office and NCSIA	Weeks of 12/7 – 12/14
Begin TA	OCC, NCSIA, and Lead Agencies	01/05/2021

() Dates are Subject to Change*



NATIONAL CENTER ON

Subsidy Innovation and Accountability



Thank you!

Stephanie.Murray@acf.hhs.gov

TCampisi@wrma.com