



STATE OF WASHINGTON
DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

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DCYF Background Checks Memo – January 2020

Background Information

For the Background checks DCYF performs, the agency receives criminal histories from the Washington State Patrol (WSP) and Federal Bureau of Investigation (FBI). We perform background checks for early learning, child welfare, and juvenile rehabilitation. These require us to coordinate with the Department of Social and Health Services (DSHS) Background Check Central Unit (BCCU).

Early learning background check users access this information through an interface with MERIT. Child welfare and juvenile rehabilitation background check results are accessed through BCCU's Background Check System (BCS).

BCCU updated its background check system on June 26, 2018, just a few days before the transition to DCYF, this created a major technology challenge. For the 9 months after this switch, applicants experienced long processing delays. The situation has stabilized, and is currently functioning at its target 5-day turnaround to issue results to DCYF.

CCDF Background Check Requirements and DCYF Compliance

The Department of Children, Youth, and Families must comply with the Child Care and Development Block Fund Grant Act (CCDF) when approving individuals contracted or employed to provide early learning services to children. CCDF background checks are broken into three categories; national, in-state and inter-state background checks (see below):

The department and other states have a waiver with the federal Administration for Children and Families for the inter-state criminal history and the interstate sex offender registry CCDF background check requirements through October 1, 2020. This waiver also includes *the requirement to complete the background check prior to first date of employment*. DCYF is waiting to hear if additional relief will be available for the inter-state or other components. Inter-state background checks are required because not all states report their criminal or sex offender history to the FBI and there is no centralized child abuse and neglect registry.

DCYF Early Learning Portable Background Check Process and Turnaround Times

Because we have a centralized database for all Early Learning employees, we are able to offer a portable background check for the Early Learning sector. This means that any employee can work at multiple sites or change jobs within the sector and not get a new or duplicate check. This is not the case in our other service sectors.

Below are the general steps to a fingerprint background check for an early learning and child welfare applicant:

1. Early learning applicant submits background check application and payment through MERIT or mails application fee to DCYF. *NOTE: Applicant has the option to pay within 16 days, but the background check cannot start until DCYF receives payment. Average time for DCYF to receive payment from applicant's financial institution is 3 to 5 business days. This is one of the weak point in the process that regularly contributes to delays.*
 - a. Child welfare applicant completes the application directly into BCS or submits a completed Background Check Authorization form to DCYF.
2. DCYF background check unit reviews application, submits application to the DSHS, sends fingerprint appointment and any required child abuse and neglect history check forms to the applicant and other states (1 to 2 days).
3. Applicant schedules fingerprint appointment, goes to appointment and submits fingerprints, FBI and WSP return results to DSHS, and DSHS forwards criminal and negative action history to DCYF (20 days). *The scheduling and completion of this step is another weak point in the system. Applicants missing appointments or challenging logistics getting to a site is a consistent issue.*
4. DCYF background check unit reviews history and renders decision (1 to 2 days).

Below is the average turnaround time from when the applicant submits the background check application until a final decision:

	Passed background check	Did not pass background check
Fingerprints submitted	17 days	31 days

It takes the DCYF background check unit, on average, three (3) days to complete its work in the background check process. This includes reviewing and submitting the application to DSHS, sending child abuse and neglect history check and fingerprint appointment forms to applicants and other states, reviewing criminal history and rendering final decisions.

The department continues to buy back background check services through DSHS. This includes the contract DSHS has with electronic fingerprint vendor IDEMIA. Attached is the fingerprint site utilization information from IDEMIA. On average, only 39% of available fingerprint appointments are utilized with the highest site at 74%. Most applicants keep their scheduled fingerprint appointments according to the average of 90% reported in December.

Individualized Suitability Assessments

The department completes approximately 80,000 background checks annually for all its required purposes; child care and early learning services, contracting, foster and group care, employment with the department, placement with caregivers and unsupervised access to children receiving services from the department. Many background checks require a character, competence, and suitability assessment (screens for history of child abuse and neglect).

Currently, the department only has the capacity to complete 70% of the **required child welfare assessments** that include character, competence, and suitability assessments. We currently do not complete these for, or have the capacity to assess early learning applicants. *Washington Supreme Court ruled against the department in 2019 for not conducting these assessments for early learning as required by law ([RCW 43.216.270](#)).*

The department's suitability assessment unit has eight (8) staff. They have the capacity to complete 42% of the required assessments the department must complete background check purposes (**child welfare, contracted services, early learning, and employees**) in a timely manner. The department needs additional FTEs to do this work. Without the additional resources background check turnaround times for those requiring an individualized assessment will increase.

Steps taken to improve performance

1. Creating a background check progress report so applicants and employers can track the progress of their application.
2. We stopped requiring early learning applicants to be associated with an employer to initiate the process.
3. We meet regularly with our partners at DSHS to address performance issues. The lack of staff capacity at DCYF and technology capacity at DSHS are limiting the effectiveness of the system.
4. DCYF has consistently put forward budget proposals to address staffing issues.

Other issues

1. Lack of system to track employees or volunteers of service providers in child welfare or juvenile rehabilitation (Like MERIT in Early Learning) makes providing Portable Background checks in these sectors impossible.
2. The multiple steps involved-applicants having to send in check; applicants making and keeping appointments with the FBI approved fingerprint vendor are two factors that generally contribute to long delays.
3. Having DCYF, DSHS, WSP and a fingerprint vendor all involved in every background check is not a recipe for efficiency.

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