

## General Questions Regarding Background Checks

### Who is required to have background check?

*Kansas law requires a background check for each individual residing, working or regularly volunteering in a licensed child care facility.*

*Background check requirements are protections intended to reduce the risk of abuse or neglect for children in regulated out-of-home child care settings. Parents need to be confident that individuals caring for their children do not have prior records of behavior that could endanger children.*

### What kinds of background checks are conducted?

*Depending on the age of the individual and their role in the facility one of the following types of checks are conducted:*

- ✓ *A comprehensive fingerprint-based check consisting of:*
  1. *A Federal Bureau of Investigation(FBI) fingerprint check;*
  2. *A search of the National Crime Information Center's National Sex Offender Registry; and*
  3. *A search of the following registries, repositories or databases in the state where the individual resides and each state where the individual has resided in the previous 5 years:*
    - a. *State criminal registry or repository;*
    - b. *State sex offender registry or repository; and*
    - c. *State-based child abuse and neglect registry and database.*
  
- ✓ *A name-based check consisting of:*
  1. *An adult and juvenile criminal records search of the Kansas Bureau of Investigation (KBI) database;*
  2. *A search of the Kansas Criminal Offender Registry; and*
  3. *A search of the Department for Children and Families Child Abuse and Neglect Registry.*

### When will Kansas require fingerprint background checks?

*Kansas has until September 2018 to comply with the new federal requirements. The Child Care Licensing (CCL) Program has partnered with the Kansas Department of Aging and Disability Services (KDADS) on KanCheck, an integrated system for requesting checks and processing results. Implementation of the comprehensive background check requirement for new (not currently holding a license) applicants is December 2018 and licensees who renew in December.*

### Will there be a charge for fingerprint checks?

*Yes, there will be a charge for processing fingerprint-based checks. The per individual fee is \$48.00. Depending on where fingerprints are taken, there may be an additional fee to take the fingerprints.*

### Who pays for the fingerprint background check?

*This would be a business decision for the licensee. However, the fingerprints are not submitted to KBI/FBI for clearance until KDHE has received the payment.*

### When do I have to complete the fingerprint background check?

*Applicants applying for an initial license on and after December 3, 2018 are required to submit affiliate names for the comprehensive background check.*

*As of December 3, 2018: All new residents 18 years of age and older, new employees or new unsupervised volunteers are required to complete the comprehensive background check. This requirement has been updated due to a Federal Determination and is not dependent on the license renewal date as previously communicated.*

Licensees renewing the facility license will be required to complete the comprehensive background checks beginning with December renewals (see chart below).

	<b>UPDATED</b>	Rev 7/17/2018
<b>Month of License Expiration</b>	<b>Renewal Period Background Check Packets Available</b>	<b>Fingerprint Request to KDHE Required</b>
December 31, 2018	December 3-December 31 <i>limited renewal period</i>	December 31, 2018
January 31, 2019	December 3 - January 31 <i>limited renewal period</i>	January 31, 2019
February 28, 2019	December 3 - February 28	February 28, 2019
March 31, 2019	January 1 - March 31	March 31, 2019
April 30, 2019	February 1 - April 30	April 30, 2019
May 31, 2019	March 1 - May 31	May 31, 2019
June 30, 2019	April 1 - June 30	June 30, 2019
July 31, 2019	May 1 - July 31	July 31, 2019
August 31, 2019	June 1 - August 31	August 31, 2019
September 30, 2019	July 1 - September 30	September 30, 2019
October 31, 2019	August 1 – October 31	October 31, 2019
November 30, 2019	September 1 – November 30	November 30, 2019

**If an individual works at multiple facilities will duplicate fingerprint background checks be required?**

No. Individuals working at more than one licensed facility are not required to submit fingerprints for each location; provided there is a current record of a fingerprint-based background check on file at KDHE. Each facility must list the individual as a current affiliate and receive verification from KDHE that a fingerprint-based check is not required. Note: a new comprehensive fingerprint-based background check is required when an individual has been separated from employment in a licensed facility for more than 90 days.

**How often will comprehensive fingerprint background checks be required?**

Fingerprint-based checks must be completed every five years. Additionally, a new background check is required if an individual or resident has been separated from employment or removed from a licensed facility affiliate list for more than 90 days and begins work in another licensed facility.

**What do I need to get my fingerprints taken?** Once you receive authorization from KANCHECK/KDHE you will need a background check packet for everyone that requires a fingerprint background check, (see program type FAQ’s to determine who is required). Background check packets may be picked up from your local licensing surveyor or requested from KDHE during the facility license renewal period and thereafter, (see chart above). Instructions on how to obtain your fingerprints are included in the packet. Please note that a valid government issued photo ID is required when prints are taken.

**Where will I go to get my fingerprints taken?**

*A location list is available on the Child Care Licensing web page. Information on the list may have changed since posted.*

**If I've had fingerprints taken for a background check for another reason, can those results meet the child care requirement?**

*New prints will be required. This is because background check information cannot be shared between agencies or businesses and each may have specific prohibitions mandated by law.*

**How long will it take to get fingerprint background check results?**

*Generally, results will be returned within 3 weeks from date fingerprints are received at KDHE from fingerprint site location. However, it may take longer if information is incomplete or if checks of registries and databases maintained by another state are required.*

**Is there a way to shorten the time it takes to get fingerprint background results?**

*To expedite the process, you may submit your affiliates online through the Provider Access Portal.*

**What happens if my fingerprints are rejected?**

*Fingerprints may be rejected due to a bad print or if there is not sufficient ridge detail. If prints are rejected a new set will be required. If prints are rejected a second time a name-based check will be run. The licensee will be notified by email or mail that new prints are needed. A new packet will be mailed or may be picked up from your local licensing surveyor.*

**Will there be another \$48 charge if I must have my fingerprints taken again due to rejected prints?**

*There is not an additional \$48 fee for the resubmission of fingerprints due to rejected prints.*

**How will I know someone has cleared the comprehensive fingerprint background check?**

*Licensees will be notified by email to check the Provider Access Portal. The record of cleared individuals is maintained there. If the licensee is not registered as a user on the Portal, a letter will be mailed to the facility address.*

**What is the Provider Access Portal?**

*The Provider Access Portal is a one-stop location to view facility records, add/edit/remove affiliates, and to submit an online application.*

**How do I register for the Provider Access Portal?**

*Information about the Provider Access Portal including directions on how to register is available <http://www.kdheks.gov/bcclr/index.html>.*