



## Office of Children and Family Services

ANDREW M. CUOMO  
Governor

SHEILA J. POOLE  
Commissioner

September 25, 2019

Dear Enrolled Legally-Exempt Informal Provider:

This letter is to inform you of new requirements for background checks for certain child care providers. Legally-exempt child care providers, employees, volunteers, and household members must now complete a criminal background check and other background checks. This letter contains important information about this requirement.

### **PLEASE READ CAREFULLY.**

#### **Who is required to complete the new background checks?**

- Legally-exempt child care providers (unless they are related to ALL children in care as a grandparent, great-grandparent, sibling who resides in a separate residence, aunt or uncle)
- Employees and volunteers
- Family child care household members age 18 or older not related in any way to all children in care

#### **Who is not required to complete the new background checks?**

- Providers who are related to ALL children in care as a grandparent, great-grandparent, sibling who resides in a separate residence, aunt or uncle; and their employees, volunteers, and household members
- Household members if they are under age 18 and living at an in-home program, or if they are age 18 or older and living at a family program and related in any way to all children in care

#### **What is checked?**

- New York State criminal history records with the Division of Criminal Justice Services (DCJS)
- National criminal history records with the Federal Bureau of Investigation (FBI)
- The New York State Sex Offender Registry
- The Statewide Central Register of Child Abuse and Maltreatment (SCR)
- The Staff Exclusion List (SEL)

A search of the national sex offender registry is also required but will be conducted at a later time.

In addition to those listed above, the following background checks will be required if an individual listed above lives or lived in a state other than New York during the five years prior:

- A search of the criminal history repository in the other state(s)
- A search of any state sex offender registry or repository in the other state(s)
- A search of state-based child abuse or neglect repository in the other state(s)

#### **What are the costs?**

- New child care providers and employees must pay \$25 for their SCR check.

## **When must this be done?**

- All new providers applying on or after September 25, 2019, and all other required individuals at such programs must complete the background checks prior to enrollment.
- You, as a currently enrolled informal provider, will receive a new application and notice of reenrollment 60 days prior to the end of your enrollment period. You and all other required individuals at your program must complete these background checks prior to reenrollment.

## **How do I do it?**

- After you receive your enrollment application, complete and return it to your enrollment agency as soon as possible.
- The enrollment agency will then provide you with the OCFS-6000 form (described below) if you or anyone associated with your program is required to complete a background check. If background checks are not required, your reenrollment will proceed as normal.
- Complete the OCFS-6000 form using the instructions in the packet, which include information about scheduling fingerprinting.
- Once the background check process is complete, the New York State Office of Children and Family Services (OCFS) will mail to you a written notice that will state the individual's eligibility for enrollment, work, or presence at a child care program. You must keep the notice on site at the program.

## **What is the OCFS-6000 series?**

The OCFS-6000 is a series of forms needed to complete the background check. The packet contains the following forms for legally-exempt informal programs:

- OCFS-6000, *Staff, Volunteer, and Household Member Required Forms List*
- OCFS-6001, *Child Care Provider, Staff, Volunteer, and Household Member Information*
- OCFS-6022, *Request for Staff Exclusion List*
- OCFS-4930, *Request for Fingerprinting Services*
- LDSS-3370, *Statewide Central Register Database Check*

There are four additional forms in the packet, OCFS-6002, 6003, 6004, and 6005, **that you do not need to complete because these forms do not apply to informal programs**. The instructions for the OCFS-6000 are enclosed with this letter. These forms, and the OCFS-4930-1, *Guidelines for Fingerprinting for Child Care Programs*, are on our website at: <https://ocfs.ny.gov/main/documents/docsChildCare.asp>.

Staff can call 1-877-472-6915 or go to <https://uenroll.identogo.com/workflows/15441V> to schedule a fingerprint appointment.

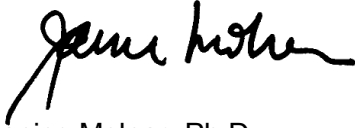
Please note: DCJS and the FBI require individuals who have had a Social Security number issued to enter it into a key pad when they are fingerprinted. If the number is entered incorrectly, the individual will need to be fingerprinted again, which results in additional costs and a delay in completing the background check. If a Social Security number has been issued to the individual, please be sure the individual carries it when going to be fingerprinted.

## **FINGERPRINT WAIVER PROCESS**

If an individual successfully completes a background check, his/her fingerprint results can apply to another program if the individual has been associated with an active program in the past 180 days. If an individual has not been associated with an active program for more than 180 consecutive days, the individual must complete another background check. However, even when fingerprint results can be waived into another child care program, a new SCR and SEL checks must be completed.

We appreciate your commitment to the safety and well-being of children in care. OCFS will continue to keep you informed as we progress with implementing these federal requirements. In the meantime, if you have any questions, please reach out to your enrollment agency for assistance.

Sincerely,



Janice Molnar, Ph.D.  
Deputy Commissioner  
Division of Child Care Services

Si necesita leer esta carta en español, visite el portal de la División de Servicios de Cuidado Infantil: Si no tiene acceso a <https://ocfs.ny.gov/main/childcare/letters.asp> la Red o Internet, contacte al encargado de licencias o registros para recibir ayuda.

