



CCLU needs to revise RSA 170-E:7, the law that governs background checks, in order to come into full compliance with the Federal Reauthorization of the Child Care Development Block Grant. The following will be proposed in upcoming legislation to come into compliance:

- **A check of the National Crime Information Center's National Sex Offender Registry File**, which is completed with the Criminal Record Check so no additional process is required by individuals
- **Out of State Criminal Records Requests in all states an individual has resided in the previous 5 years**, which will require additional forms and possibly fees if required by the states the individual is requesting the information from – **NH is not** requiring any additional fees (this is different than the current out of state check, which is a request of abuse and neglect registries only).

Other changes that we believe will help the process:

- **Once an individual is fingerprinted and receives their tracking form, all forms will be submitted at the same time to Child Care Licensing.** CCLU will then confirm that all the information is correct and send it on to State Police and other states as applicable. By changing this process, we will be ensuring that all information is correct immediately and notifying you if corrections are needed sooner. It will also allow the State Police to have more time to process the background checks and send the results to us, and not need to spend time returning forms to us, to then pass along to you, when information is incomplete.
- **Ability for eligibility cards to be issued to individuals with current background checks with a prorated fee.** Individuals who have a current background check have expressed an interest in obtaining an eligibility card. The current law only allows a card to be issued for 5 years, and no fee is authorized other than \$50. If an individual wants a card prior to their current background check expiration, they need to complete the full background process again. This change will allow those individuals to receive a card at a prorated rate to align with their current background check. We are also requesting to reduce the fee for a replacement card to \$10 (currently \$15).
- **Ability to request additional background checks if we receive reliable information that an individual has convictions that occurred after their current background check, or to suspend eligibility if we receive information that the individual was charged with a disqualifying crime.** This will allow CCLU to ensure that these individuals will not be working with children.

In addition to changes to the law, the Federal Reauthorization of the Child Care Development Block Grant also requires that individuals do not begin working in programs until:

- They submit information for their background check - which is CCLU's requirement as well **AND**
- They are supervised by someone that has completed their background check and was determined eligible for employment by CCLU – we do not require this, therefore this requirement has to be added to the rules.

NO CHANGES ARE HAPPENING AT THIS TIME. The legislation needs to be approved and changes will be made in rule once changes to the law are finalized. I hope the changes will be in effect next **October 2019.**

I encourage you to reach out to me with questions regarding these changes –
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I will communicate more information as this legislation goes through the process, including sharing the official language that is submitted to the legislature, and when and where public hearings are scheduled.

Until next month!

Melissa Clement

Chief, Child Care Licensing Unit