

**NEWS from the North Dakota Department of Human Services
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Human Services receives one-year waiver on federal criminal background check requirement affecting child care providers

BISMARCK, N.D. – The North Dakota Department of Human Services has received a one-year waiver from the U.S. Department of Health and Human Services' Administration for Children and Families on a federal criminal background requirement. The waiver allows the department to revert back to prior policy that allows new employees hired by licensed and regulated child care providers in North Dakota to begin working under direct supervision before their background checks are complete. The time-limited waiver is valid through Sept. 30, 2019.

New child care employees who have submitted a background check application to the department's Criminal Background Check Unit (CBCU) and have not received notification about their application, can begin work under direct supervision.

"We heard from various providers and other stakeholders regarding work force challenges and explored alternative solutions that ensure safe environments for children while balancing the needs of child care providers and the department's compliance with federal law," said Chris Jones, the department's executive director.

On Oct. 1, 2018, the department implemented a federal requirement that prohibited new child care staff members from beginning work until the department received and reviewed their in-state Bureau of Criminal Investigation (BCI) or their national Federal Bureau of Investigation (FBI) criminal history records. This federal requirement was one of 11 requirements included in the Child Care and Development Block Grant Act of 2014 that enhanced background check requirements to ensure the protection and safety of children in licensed and regulated child care.

Jones said the department was strategic in implementing the 11 federal requirements in stages since 2014 to help minimize the impact on licensed and regulated child care providers.

During the waiver period, the department will continue to explore ways to enhance efficiencies in the background check process. A team involving county, state and other partners is meeting regularly on this effort. To assist with timely processing, providers can help make sure that new staff members submit complete background check applications.

Licensed and regulated child care providers were notified last week of this waiver approval in correspondence from the department through county child care licensors.

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The department's CBCU received 1,014 fingerprint-based background check requests in October 2018, an increase of 209 requests from September 2018. About 75 percent of the requests related to early childhood services.

In addition to early childhood services background checks, the unit is also responsible for completing fingerprint-based background checks for foster care licensing, employment in licensed foster care facilities, adoption including employment in licensed child placement agencies, guardianship, Temporary Assistance for Needy Families Kindship Care and relative care placement.

North Dakota has about 1,850 licensed and regulated child care providers.

Department background check information for child care providers is available online at www.nd.gov/dhs/services/childcare/bkg-check.html.

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