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## Effective July 1, 2016 Eligibility for Employment as Child Care Personnel New Background Screening Rescreening Requirements

Congress reauthorized the Child Care Development Block Grant program (CCDBG-school readiness) in November 2014, including increased health and safety requirements for providers receiving CCDBG funding. The state must implement these requirements to continue receiving CCDBG funding.

During the 2016 legislative session, the Florida Legislature amended section 435.07(4), Florida Statutes (HB 1125 – Chapter 2016-98, Laws of Florida), by adding a new paragraph (c), which applies **new background screening requirements to all child care personnel** as defined by section 402.302(3), Florida Statutes. Please note that, for purposes of background screening, the term “child care personnel,” is much broader than just licensed or registered providers. Section 402.302(3)(c), Florida Statutes, prohibits the Department of Children and Families from granting exemptions for employment as child care personnel to persons who have been:

- Registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) and are subject to the registration requirements under the Adam Walsh Child Protection and Safety Act; or
- Arrested for and are awaiting final disposition of, found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or have been adjudicated delinquent and the record has not been sealed or expunged, for certain state felonies and misdemeanors enumerated in section 435.07(4)(c), Florida Statutes.

Section 435.07(4)(c), Florida Statutes, requires all child care personnel who are employed as of July 1, 2016, and have been granted an exemption from disqualification to be rescreened. All such individuals must follow the steps below to complete the rescreening by July 8, 2016, for a determination of eligibility for continued employment as child care personnel under the new statutory limitations.

For child care personnel **previously** screened through the Clearinghouse:

- The employer must initiate a resubmission in the Clearinghouse.
- When the results are received, a determination will be made, and the prior exemption will be continued or a disqualification letter will be issued.
- The Clearinghouse will be updated to reflect the determination, and the individual will receive a letter noting the final determination.

For child care personnel **not previously** screened through the Clearinghouse:

- The employer must initiate a new screening in the Clearinghouse. Visit <http://www.dcf.state.fl.us/programs/backgroundscreening/clearinghouse/> for instructions on using the Clearinghouse.

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- The individual will then be re-fingerprinted.
- When the results are received, a determination will be made, and the prior exemption will be continued or a disqualification letter will be issued.
- The Clearinghouse will be updated to reflect the determination, and the individual will receive a letter noting the final determination.

The Department's background screening webpage, [www.myflfamilies.com/backgroundscreening](http://www.myflfamilies.com/backgroundscreening), has step-by-step instruction, along with videos, to:

- assist in getting started,
- locate a Live Scan vendor, and
- work within the Clearinghouse for tracking background screening submissions and receipt of results.

Also, the Department of Children and Families' Background Screening Help Desk at (888) 352-2842 is available to assist in answering questions or providing technical assistance.

Thank you,

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