

Background Check Requirement for High Schools

Linsey Shockley
Family & Consumer Sciences Program Specialist
lshockley@doe.k12.ga.us

Students
needing
background
checks are:

- Early Childhood Education (ECE) pathway
- Teaching as a Profession (TAP) pathway
- Work-Based Learning (WBL) program
- Youth Apprenticeship Program (YAP)



The following information is
from the legal department at
**Bright from the Start: the
Department of Early Care and
Learning (DECAL).**

The criminal records page is a great place to visit for FAQ's,
recent changes to the law/rules, webinars and general
announcements:

<http://dec.al.ga.gov/CCS/CriminalRecordsCheck.aspx>

By October 1, 2018, federal law requires that ALL students (regardless of age) have a satisfactory background check determination issued by DECAL before s/he reports to a licensed child care learning center or a license-exempt center that receives CAPS subsidy.

O.C.G.A. § 20-1A-30 through 45. Please refer to 30: Definitions, number 6: Employee.

**This ONLY
applies to
students
interning in a:**

- **Licensed child care learning center (preschool or daycare) from DECAL**

Further explanation regarding preschools is on the next slide

- **OR license-exempt child care program that receives CAPS (Child Care and Parents Services) subsidy**

It does NOT apply to students interning in a facility that is not licensed by Bright from the Start such as an elementary school setting.

**Pre-K
programs can
operate in
two settings:**

- 1. in a child care learning center which IS licensed by DECAL and where comprehensive background check requirements DO apply; and**
- 2. in a public school, which IS NOT licensed by DECAL and where comprehensive background check requirements DO NOT apply (unless they receive CAPS: Childcare and Parent Services subsidy).**

Do **NOT** assume that the PreK program is **LICENSED**.

Use the information on the following slide to determine if the program is licensed or NOT licensed.

Is the PreK program licensed or not??

- Go to the following link:
<http://families.decal.ga.gov/ChildCare/Search>
- Make sure that you have “PreK Programs” tab selected at the top of the search engine.
- Enter “Address”, “Facility Name”, “Zip Code”, OR etc.
- Then click “Search”

Total Records: 1



Peter Rabbit's PreK



Pre-K Slots Available: 4

Licensed: Yes

Quality Rated: ★ ★ ★

VIEW

SAVE RESULTS TO FILE

LICENSED

Background Checks ARE Needed

Total Records: 1



Winnie-the-Pooh's Prek



Pre-K Slots Available: 282

Licensed: No

Quality Rated: No

VIEW

SAVE RESULTS TO FILE

NOT LICENSED & NO CAPS

Background Check NOT Needed

Do NOT Forget

1. If the program is NOT licensed, but they receive CAPS: Childcare and Parent Services subsidy.
2. The students will still need a background check.
3. Use the following link for more information about CAPS:
<http://dec.al.ga.gov/QualityInitiatives/CAPS.aspx>

Total Records: 1



Three Little Bear's
PreK



Pre-K Slots Available: 88

Licensed: No

Quality Rated: No

VIEW

SAVE RESULTS TO FILE

NOT LICENSED & YES CAPS

Background Checks ARE Needed

Based on the previous information, if your students **NEED** a background check, you **MUST** continue the presentation.

- Background checks **MUST** be completed the following way.
 - This is a two-step process:
 1. DECAL (the state agency that regulates childcare in GA) and
 2. GEMALTO (the entity that processes the fingerprint scans for DECAL) and **NOT** through local law enforcement.

- If the daycare/preschool your students are interning in requires a background check through DECAL, the below steps must be taken. (If unsure, refer to the first bullet point in this document.):
 - Register with GEMALTO. See attached Livescan Fingerprinting Instruction document for step-by step instructions that must be followed precisely;
 - Submit a records check application electronically through one of the following:
 - A DECAL KOALA provider account for a support center;
 - A DECAL KOALA provider account for a licensed child care learning center, or
 - The DECAL website <https://decalkoala.com/CBCApplication> (must select a licensed center or registered support center); and
 - Submit fingerprints to GEMALTO either by:
 - Visiting a GEMALTO fingerprinting site. See map for location information: <https://www.aps.gemalto.com/ga/index.htm>; or
 - Arranging for a mobile fingerprinting to come to you (there is an additional charge for this service).

- The current cost to fingerprint for this national clearance is \$48.25. There may be additional fees if a mobile fingerprinting site is requested or if DECAL must make additional out of state checks.
- You will need to contact GEMALTO directly, if you need to bulk the invoice versus individually.
- A school may apply to become a Support Center to eliminate the need to submit the records check application through a child care center. Information about Support Centers and the registration process (which typically takes a week for approval) can be found here: <http://dec.al.ga.gov/CCS/SupportCenter.aspx>
- Once all of the background check information has been submitted, it takes about two days for this process to be completed. DECAL will determine if the student has passed or failed the background check and will issue a determination letter delivered via email.

If you have any further question,
please email me,
Ishockley@doe.k12.ga.us,
or call me, 470-755-8523.

Links to the Laws:

- Federal law that governs all licensed programs and all license-exempt programs that receive CCDF funds (i.e. Childcare and Parents Services subsidy). The citation for the background check portion of the federal law is 42 U.S.C. § 9858f. A link to this section is here:

<https://www.law.cornell.edu/uscode/text/42/9858f#>

- GA state law (attached). The relevant sections are O.C.G.A. §§ 20-1A-30 through 45. Please note that the definition of Employee for the purpose of the background check requirements specifically includes students-in-training.

<https://advance.lexis.com/container/?pdmfid=1000516&crid=021b6da1-3074-44df-9577-ff3fc2b45093&func=LN.Advance.ContentView.getFullToc&nodeid=AAUAADAAD&typeofentry=Breadcrumb&config=00JAAzZDgzNzU2ZCo5MDAoLTRmMDItYjkzMSoxOGY3MjE3OWNIODIKAFBvZENhdGFsb2fcIFfJnJ2IC8XZi1AYM4Ne&action=publictoc&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A5STN-B2So-004D-824K-00008-00&pdtocfullpath=%2Fshared%2Ftableofcontents%2Furn%3AcontentItem%3A7YJ8-39Mo-Y905-D000-00008-00&ecomp=v3cfkkk&prid=fb98cc80-bdb1-4e61-8a17-9d837734aocb>