

Criminal Record Check Portability

Child Care Learning Centers 591-1-1-.09:

1. Satisfactory Fingerprint Records Check Determination or Satisfactory Comprehensive Records Check Determination Required

- (j) **Portability for Directors, Employees and Provisional Employees, excluding Students-in-Training.** Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center may accept a satisfactory Fingerprint Records Check Determination letter or a satisfactory Comprehensive Records Check Determination letter issued by the Department if the Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Center does not know or reasonably should not know that the individual's satisfactory status has changed.

Family Child Care Learning Homes 290-2-3-.21:

1. Satisfactory Fingerprint Records Check Determination or Satisfactory Comprehensive Records Check Determination Required

- (k) **Portability for Providers, Employees and Provisional Employees, excluding Students-in-Training.** Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Provider may accept a satisfactory Fingerprint Records Check Determination letter for a Provisional Employee or a satisfactory Comprehensive Records Check Determination letter issued by the Department for a potential Employee if the individual's Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Provider does not know or reasonably should not know that the individual's satisfactory status has changed.

Rule Type: Non-Core Rule

Intent of the Rule

To allow staff the flexibility to work in multiple child care programs.

Clarification

Portability of satisfactory records check determinations for Providers, Directors, Employees and Provisional Employees allows these individuals to move from one child care program to another without having to submit another record check application and repeat the fingerprinting process. The portability period is 12 months from the Records Check Clearance Date (i.e., date of issue or "as of" date) as long as the employee has not had a break in service from the child care industry that lasted for 180 days (6 months) or longer and there is no knowledge that the employee's satisfactory status has changed. Only the most recent determination letter is eligible for portability and must be ported electronically.

Indicators

- ✓ Child care program staff must use DECAL KOALA to electronically port each employee's criminal records check determination to the program's profile.
 - Note: Porting the employee's criminal records check determination electronically will help to ensure that the records check determination letter provided by the employee is authentic. For more information on portability, access the frequently asked questions (FAQs) about DECAL KOALA at: <https://decalkoala.com/>.
 - Organizational TIP: File criminal record check determinations with similar expiration dates together as a reminder for renewal.
 - Reminder: Email CRCHelpDesk@dec.al.ga.gov or call 1-855-884-7444 with questions regarding criminal records check requirements. Additional information about criminal records check requirements can be found on Bright from the Start's website at: <http://www.dec.al.ga.gov/CCS/CriminalRecordsCheck.aspx>

Resources:

Caring for Our Children, 3rd Edition <http://cfoc.nrckids.org>