

Ohio Child Day Camps Annual Criminal Background Checks

IMPORTANT - PLEASE READ

Frequently Asked Questions

Who is required to get a criminal records check?

Ohio Revised Code requires child day camps to request new criminal records checks from the Ohio Bureau of Criminal Identification and Investigation (BCII) for **all staff** prior to employment.

This includes:

- Applicants for employment or appointment who could potentially be responsible for children for any length of time, including office personnel, custodial help, cooks, bus drivers and others.
- Student applicants.
- Non-employees who are nevertheless responsible for the care of a child or children for any length of time at the camp. Some examples may include dance or computer instructors, tutors, or anyone providing special services.

Note: the law requires that five years of Ohio residency be verified for each applicant. If the applicant has not been a resident of Ohio for the last five years an FBI check must also be requested from BCII.

When is a criminal records check required?

1. At initial application for approval of a child day camp.
2. Criminal records checks are required annually for all day camp employees or non-employees who are responsible for children, including applicants previously employed at the camp who are applying to be rehired.
3. Prior to the first day of employment for employees and child day camp staff members.
4. Every five years from the date of the most recent background check.
5. Unless an individual has not worked in child care for longer than 180 days-then a new check is required
6. Ohio Department of Job and Family Services (ODJFS) will accept print results from other employers as long as the 5104.013 or 2151.86 code is used.

What does the ODJFS monitoring process look like?

ODJFS staff will visit the camp to review the camp's records for each employee or non-employee who are responsible for the care of children to ensure that all required forms and documentation are on file. A camp not in compliance will be allowed ample time to comply and will receive technical assistance from ODJFS.

This year, ODJFS will be taking extra steps to ensure that all child day camps are meeting the criminal records check requirement. Starting in June, ODJFS will begin visiting many camps to monitor compliance. The results of this monitoring will be publicly posted at <http://www.odjfs.state.oh.us/cdc/Results1.asp>.

What documentation are camps required to maintain?

The camp must keep the following:

- The JFS 01362 "Child Day Camp - Roster for BCII Records Checks" listing all employees and others for whom a BCII criminal records check has been requested or received.
- A completed FBI background check or the JFS 01271 "Verification Of Five Years Ohio

Residency For Registered Child Day Camps”.

- A completed BCII criminal records check report from BCII or a dated receipt from WebCheck indicating that the records check request has been received by BCII. **This** A record that the camp has informed each applicant that the criminal records check is required to be completed.

What types of criminal records checks are acceptable?

Only criminal records checks conducted through BCII are acceptable. Records checks from other agencies will not be accepted when ODJFS monitors the camp for compliance.

- All child day camps are within 75 miles of a WebCheck location and must use WebCheck, the fingerprint-based background check system developed by the Ohio Attorney General's Office. For a list of WebCheck locations, see <http://www.ag.state.oh.us/business/fingerprint/data/index.asp>.
- Each WebCheck transaction costs \$15, and results are usually available within two business days. State law also requires the FBI check, at an additional cost, if the applicant does not present proof that he or she has been an Ohio resident for the previous five years.
- Camps can purchase their own WebCheck software systems. For more information, see <http://www.ag.state.oh.us/business/fingerprint/index.asp>.

What if a camp requests a records check but does not receive the results within 30 days?

Criminal records check results are accepted only if they are dated within 30 days of the employee's first day of employment. The results may be dated 30 days prior to employment, and must be returned to the camp within 30 days of the date they are requested.

If a requested records check is not returned within 30 days, the camp must contact either the WebCheck facility or BCII to determine if there was a problem in obtaining the results.

What if a background check shows that an employee has a prohibited conviction?

At this time, no operator of a child day camp may appoint or employ any individual with a prohibited conviction.

What are the fines and penalties for not having the background check required for all day camps in Ohio?

Penalties for non-compliance with the criminal records check requirement include the posting of a notice in at the camp stating that the camp has failed to conduct criminal records checks of its appointees or employees as required by law.

HELPFUL HINTS

- Explain that completion of a criminal records check is one of the conditions for hire.
- Have required paperwork ready for review as part of the application packet. This packet of information can be reviewed with each prospective candidate for employment. Upon making an offer of employment, give copies of the required paperwork to the employee.
- Keep the JFS 01362 "Child Day Camp - Roster for BCII Records Checks" updated with all staff for review by ODJFS during the monitoring visit. This form will list all employees, the date of hire, the date of requested background check and the date the results are received from BCII.

If you have questions, please contact the Ohio Department of Job and Family Services, Office for Children and Families Help Desk at 1-866-886-3537, option 4.

References: Ohio Revised Code section 5104.86, 5104.861, 5104.21
Ohio Administrative Code 5101:2-18-01, 5101:2-18-02, 5101:2-18-03