



ARIZONA
DEPARTMENT
of CHILD SAFETY

Mike Faust, Director
Douglas A. Ducey, Governor

March 18, 2020

Good Morning,

Until further notice OLR will be approving the hiring of staff that are required to obtain a completed central registry check in a state they have resided in outside of Arizona within the past 5 years as long as the following criteria is met:

- The applicant has a valid level one fingerprint clearance card
- The applicant has a completed Arizona Central Registry check completed through Quick Connect
- The applicant has completed a CSO-1637 form (revision date of 11/19)
- The applicant has completed state specific Adam Walsh request(s) for any state detailed on the CSO-1637 form and applications have been submitted to OLR for processing with the other state

The **only** change to policy in the interim is that staff may start work/training prior to receiving results from the requesting state. Communication will be sent again when the expectation is to return to the current policy in effect.

Please let me know if you have any questions.



Arizona
Department of Child Safety

Thea Bish

Program Administrator
Office of Licensing and Regulation and Foster Home Group Home Investigations
Arizona Department of Child Safety
PO BOX 6030 SC C010-20
Phoenix, AZ 85005-6030
Phone 602-255-2844
thea.bish@azdcs.gov



Arizona Department of Child Safety

TITLE	POLICY NUMBER	
Background Checks – Child Welfare Agency Staff (Contracted with DCS)	DCS 15-32	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Office of Licensing and Regulation	July 24, 2019	1

I. POLICY STATEMENT

This policy exists to help assure the safety of children in the care of a Child Welfare Agency licensed and contracted by the Department of Child Safety (DCS).

II. APPLICABILITY

This policy applies to all licensees and their staff pursuant to child welfare agencies licensed under Arizona Administrative Code (A.A.C.) [Title 6, Chapter 5, Article 74](#), contracted to provide Congregate Care services with the Department of Child Safety, and the employees of OLR.

III. AUTHORITY

A.R.S. § 8-503	Powers and Duties
A.R.S. § 8-505	Issuance of licenses; application; investigation; renewal
A.R.S. § 8-509	Licensing of foster homes; renewal of license; provisional license; exemption from licensure; immunization requirements
A.R.S. § 8-804 (B)(1)	Central registry; notification
A.R.S. § 46-141	Criminal record information checks; fingerprinting

employees and applicants

A.R.S. § 41-1758.07	Level I fingerprint clearance cards; definitions
Congressional Bill 1892	115 th Congress Bipartisan Budget Act of 2018
Senate Bill 1537	Fifty-fourth Legislature First Regular Session

IV. DEFINITIONS

Adam Walsh Child Protection and Safety Act of 2006 (AWA): An Act to protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography, to promote Internet safety, and to honor the memory of Adam Walsh and other child crime victims.

Adult: A person age 18 years or older; a youth in extended care does not apply.

Background Check: The combination of obtaining a level one fingerprint clearance card, an Arizona central registry check, and a central registry check in any state a staff has resided at any time within the five year period prior to the hire date with the licensee.

DCS: The Department of Child Safety.

DCS Central Registry: The information maintained by the Department of substantiated reports of child abuse or neglect for the purposes of [A.R.S. § 8-804](#).

Hire Date: The first day staff performs any task, training, or additional function with the licensee either on a voluntary basis or for compensation.

Licensee: The person or entity holding a Child Welfare Agency license.

Paid Staff: A term that pertains to:

- A licensee’s paid employees who work at a facility;
- Any temporary worker or independent contractor the licensee uses as a temporary replacement for an employee who is sick, on leave, or unavailable; and
- Any independent contractor that the licensee retains to provide direct services to children in care at the facility.

Staff: A licensee’s paid and unpaid staff. The term “staff” in this policy includes all staff regardless of direct care services provided by the staff to children in care.

Unpaid staff: A licensee's volunteers, students, and interns who work, train, or assist at a facility.

V. POLICY

- A. OLR shall verify that Child Welfare Agency staff have submitted and received a completed DCS Central Registry Clearance prior to the hire date with the licensee.
- B. OLR shall verify that Child Welfare Agency staff have obtained a valid Level One Fingerprint Clearance Card prior to the hire date with the licensee. ([A.R.S. § 46-141](#))
- C. OLR shall verify that all Child Welfare Licensee's submit updated staff information in the method and timeframes prescribed by the Department.
- D. OLR shall verify that all Child Welfare Agencies submit a completed AWA request form to OLR for agency staff that have lived in another state other than Arizona five years prior to the hire date with the licensee and results have been received from the processing state prior to the hire date with the licensee.

VI. PROCEDURES

- A. All staff of a Child Welfare Agency shall complete and sign the Background Check Authorization (CSO-1637) form and submit it to the licensee prior to the hire date with the licensee. The signed form shall be placed in individual personnel files maintained by the licensee and is subject to audit by OLR.
- B. Using the [Background Check Authorization](#) (CSO-1637) form, the licensee shall add the required information to the Department's electronic database.
 - 1. If the individual is offered a hire date with the licensee the staff shall be entered in the licensee's individual Excel Provider Workbook on the *Agency Roster* tab.
 - 2. When staff separate from the licensee, the [Background Check Authorization](#) (CSO-1637) form shall be updated to reflect the separation date and whether staff is eligible for rehire. Separation information shall be entered in the Department's electronic database within five (5) business days from date of separation.
 - 3. The form shall be maintained in the staff personnel file.

C. State of Arizona Central Registry Clearance

1. The licensee shall request for all staff an Arizona background check through the Department's electronic database prior to the hire date with the licensee.
2. An automated email will be sent to the licensee when the Arizona central registry check is complete.
 - a. If there is additional or missing information needed to complete the request OLR will communicate with the licensee.
 - b. OLR processing time is fourteen (14) days once a complete request is received through the Department's electronic database.
3. The licensee shall retain a copy of all automated emails related to the central registry checks in the personnel file maintained by the licensee. The document(s) shall be retained by the licensee per the retention schedule required by rule or contract – whichever is longer.
4. If a disqualifying event, substantiation, is identified during the Arizona central registry check, regardless of direct care responsibilities, staff may apply for a good cause exception with the Board of Fingerprinting (<https://fingerprint.az.gov/application-process/central-registry-exception>).
 - a. OLR shall not provide to the licensee details on a substantiation finding
 - b. If a good cause exception is granted, the approval letter shall be provided to the licensee by the staff and maintained by the licensee in the personnel file.

D. Adam Walsh Act Background Checks

1. The licensee shall identify if a staff has resided in any other state five years prior to the hire date with the licensee. The licensee shall review the completed Background Check Authorization (CSO-1637) form to determine residence history.
2. The licensee shall obtain the required central registry form prescribed by the state(s) the staff has resided in at any time during the past five year's prior to the hire date with the licensee. The state specific form(s) shall be maintained in a designated OLR storage location accessible to the licensee.
3. The licensee shall inform and assist the staff in the completion of all required forms.

4. Completed original forms shall be returned to OLR with attached payment, if applicable, in the form required by the processing state.
5. Once received by OLR the licensee shall receive a status notification when OLR has submitted the request to the processing state.
6. Results shall be provided to the licensee by OLR when the processing state returns the results to OLR. Results are received as: No record found or record found.
 - a. OLR shall not provide details on a substantiation finding to the licensee.
 - b. OLR shall provide contact information and details on how to request the record for the processing state at the request of the licensee.
7. Processing times for AWA requests vary and timeframes are dependent upon the processing state. OLR updates the required request forms as communicated by the processing state and may not have the most accurate form available at any given time.

E. Level One Fingerprint Clearance Card Status

1. All staff of a Child Welfare Agency shall apply for and obtain a Level One Fingerprint Clearance Card prior to the hire date with the licensee. The staff's Level One clearance card shall be maintained active and in good standing at all times the staff is employed or associated with the agency.
2. Level One Fingerprint Clearance Card and application status will be updated in the Department's electronic database. If staff have applied for, or were issued, a Level One Clearance Card and the Department's electronic database notates "no information found", the provider shall:
 - a. Verify that the correct social security number (SSN) has been entered into the Department's electronic database for the staff.
 - i. If the SSN is correct in the database, the provider shall contact the Arizona Department of Public Safety (DPS) at (602) 223-2279 to verify the correct SSN associated with the card.
 - ii. If the SSN is incorrect in the database, the provider shall correct the information in screen #1.
 - b. Verify that the correct statute is linked to the staff member's card; if necessary, contact DPS at (602) 223-2279 and request statute [A.R.S §46-141](#) (requiring a valid fingerprint clearance based check

for personnel who provide services directly to juveniles) be added to the card.

3. If at any time staff have a status other than “valid” regarding their Level One Fingerprint Clearance Card OLR shall notify the provider by email. Alternate status may include denial, suspension, or revocation. A “Verification of Employment” form shall be attached by OLR to the email. The provider shall submit the completed form back to OLR within 72 hours of OLR’s initial notification. Action shall be taken immediately by the licensee upon notification from OLR to ensure compliance.
4. If a Level One Fingerprint Clearance Card is denied, suspended, or revoked the staff may apply for a good cause exception with the Board of Fingerprinting (<https://fingerprint.az.gov/application-process/good-cause-exception>).
 - a. OLR shall not provide details related to the cause of an invalid status to the licensee regarding staff.
 - b. If a good cause exception is granted, a Level One Fingerprint Clearance Card will be issued to the applicant and the Department’s electronic database will be updated to reflect the valid status.
 - c. If clearance status does not update in the Department’s electronic database, see the steps detailed above.
5. An individual who is subject to registration as a sex offender in this state or any other jurisdiction or who is awaiting trial on or who have been convicted of committing or attempting, soliciting, facilitating or conspiring to commit one or more offenses in this state or the same or similar offenses in another state as detailed in [A.R.S. § 41-1758.07 \(B\) \(1-48\)](#) shall be precluded from received a Level One Fingerprint Clearance Card.

F. Child Welfare Agency Rosters

1. All staff of a Child Welfare Agency shall be reported to OLR monthly by the licensee using the individualized Excel Provider Workbook, Agency Roster tab.
2. OLR designated staff shall verify that child welfare agencies submit the information within the required time frames. OLR shall track timeframes not met by the provider.
3. Provider Workbooks shall be submitted via email to OLRReports@azdcs.gov. If the submission date falls on a holiday or

weekend, it may be submitted the last business day before the due date. Rosters due dates shall follow the Provider Workbook requirements detailed in the workbook on the *Agency Roster* tab.

4. Staff separations shall be noted on the *Agency Roster* tab. Once separation has been noted on a submitted Workbook, the provider shall remove the staff from the roster tab for the new reporting month.
- H. Prior to receiving all required background checks, staff shall not be permitted to assume a position or any responsibilities with the licensee.
- I. OLR designated staff shall verify that the Child Welfare Agency staff has been entered into the Department's electronic database within the required time frame.
- J. OLR shall track timeframes not met by the licensee.

VII. FORMS INDEX

CSO-1637 Background Check Authorization
Verification of Employment – OLR specific form, provided as needed
Department of Child Safety Congregate Care Services Scope of Work



ARIZONA DEPARTMENT OF CHILD SAFETY BACKGROUND CHECK AUTHORIZATION

You are being provided this form because you have applied for a position which requires a search of the Arizona Department of Child Safety's (DCS) Central Registry and a Level 1 Fingerprint Clearance Card issued by the Department of Public Safety (DPS). Both are required by Arizona state law. Your information, upon submission by your employer, will be searched through the DCS Central Registry and the DCS and DPS Fingerprint Clearance Card databases.

All information on the form must be typed or printed.

Applicant/Employee/Volunteer Name (Last, First M.I.)			Provider Name		
Aliases (Including Maiden Name & Nicknames)			Date of Birth (mm/dd/yyyy)	Soc. Sec. No.	
Address (No., Street)	City	State	ZIP	Date of Hire	Position
Phone No.	Email Address		Reason for Separation		Date of Separation
<input type="checkbox"/> New Hire	<input type="checkbox"/> Volunteer	<input type="checkbox"/> Rehire	<input type="checkbox"/> Separation	<input type="checkbox"/> Eligible for Rehire	

Additional Information ~ If you wish to provide additional information please attach additional pages as necessary.

- a Are you currently registered or subject to registration as a sex offender in Arizona or any other jurisdiction? Yes No
 - b Are you currently the subject of an investigation of child abuse or neglect in Arizona? Yes No
 - c Are you currently the subject of an investigation of child abuse or neglect in another state or jurisdiction? Yes No
 - d Have you ever been the subject of an investigation of child abuse or neglect in Arizona, or another state or jurisdiction that resulted in a substantiated (determined to have occurred) finding? Yes No
- If Yes to any of the above questions:
- 1 What was the allegation(s)?
 - 2 When was the investigation(s) conducted?
 - 3 Where was the investigation(s) conducted? (Include state in which the investigation occurred)

Residence History

- a Have you resided outside of Arizona at any time in the last five years Yes No
- 1 If Yes list all states and/or countries you have resided in within the last five years other than Arizona:

Statement of Certification by Employee/Applicant

By signing this form, I allow the Department of Child Safety to report final findings of any DCS child abuse investigation and the status of my Level 1 Fingerprint Clearance Card to the provider listed above. I attest under penalty of perjury, that the information provided is true, correct and complete to the best of my knowledge and belief. I further understand the provision of false information or intentional misrepresentation of information on this form may result in disciplinary action including termination.

Signature of Employee/Applicant	Date
Signature of Witness	Date

For Provider Use Only

 ~ Information on this form must be input through Quick Connect within 5 days of hire or termination.

A signed copy of this authorization must be placed in the personnel file.

Date form Received	Date Information Input to Quick Connect	Information Input By
--------------------	---	----------------------

Equal Opportunity Employer/Program. The Department of Child Safety (DCS) prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, disability, genetics, or retaliation or any other status protected by federal law, state law, or regulation. Reasonable accommodations to allow a person with a disability to take part in a program, service, or activity are available upon request. To request this document in alternative format or for further information about this policy contact your local office. TTY/TDD Services: 7-1-1. Free language assistance for DCS services is available upon request. Ayuda gratuita con traducciones relacionadas con los servicios del DCS esta disponible a solicitud del cliente.