# Employment Background Checks: Facility Operators/ Employees and Family Child Care Operators/ Employees

**Rhode Island Department of Children, Youth and Families**
**Policy: 900.0035**
***Effective Date: January 6, 1986 Revised: April 26, 2012 Version: 2***

In accordance with Rhode Island General Law (RIGL) 40-13.2, any person seeking to operate a residential care facility, child care center, family child care home or community based program which is licensed by the Department, submits an affidavit to the Department providing information relating to individual employment history including a list of all positions held within three years prior to application for licensing.

RIGL 40-13.2 also mandates the person operating a facility which is licensed or registered with the Department to require all persons seeking employment in positions which involve supervisory or disciplinary power over or routine contact with a child(ren) without the presence of other employees to submit a similar affidavit. This affidavit must be submitted to the employer prior to employment. The Department assumes responsibility for ensuring employment background checks for family child care operators and employees.

**Related Procedure**

**Employment Background Checks on Facility Operators/Employees and Family Child Care Operators/Employees**

**Related Policies**

**Criminal Records Check**
**Clearance of Agency Activity**

## Employment Background Checks on Facility Operators/ Employees and Family Child Care Operators/Employees

**Procedure From Policy 900.0035: Employment Background Checks Facility Operators/ Employees and Family Child Care Operators/Employees**

I. Facility Operator

A. Prior to licensing, the Department's Licensing Unit requires an employment history on facility operators who have operational responsibility for the facility.

1. The facility operator completes the Employment History Affidavit (DCYF #108):
   a. The facility operator identifies place(s) of employment, address(es), date(s), and supervisor(s) for the past thirty-six months. Employment includes part-time, full-time, and/or volunteer.
   b. If the facility operator has not been continuously employed for the past thirty-six months, he/she completes the affidavit stating that he/she has not been employed and notes the dates he/she was unemployed.
2. Licensing staff verifies employment information listed on the Employment History Affidavit for a period of twelve months prior to application.
3. The employment information received is one of the factors utilized when making a determination for licensing.

B. The Licensing staff places the Employment History Affidavit and the written response in the provider file immediately upon receipt. This information is a permanent part of the provider file.

C. Facility Operators also comply with DCYF Policy 900.0040, Criminal Background Checks and DCYF Policy 700.0105, Clearance of Agency Activity.

II. Facility Employee

A. The facility operator ensures that all prospective, full or part time staff, volunteers or consultants, who have supervisory or disciplinary power over or routine contact with child(ren) without the presence of other employees complete and submit an Employment History Affidavit (DCYF #108). Full or part time Positions which require Employment History Affidavit prospectively include but are not limited to:

1. Child care workers.
2. Child care supervisors.
3. Maintenance, transportation, kitchen, clerical workers.
4. Counselors, therapists, social workers, clinicians.
5. Teachers, aides, principals.
6. Administrators, coordinators, directors.
7. Volunteers or consultants.

B. The facility operator ensures that prospective employees, volunteers and consultants (as described in Part II, paragraph A) complete the Employment History Affidavit (DCYF #108):

1. The prospective employee, volunteer or consultant identifies place(s) of employment, address(es), date(s), and supervisor(s) for the past thirty-six months. Employment includes part-time, full-time, and/or volunteer.
2. If the prospective employee, volunteer or consultant has not been continuously employed for the past thirty-six months, he/she completes the affidavit stating that he/she has not been employed and notes the dates he/she was unemployed.

3. The facility operator verifies employment information listed on the Employment History Affidavit for a period of twelve months prior to application.
4. The employment information received is one of the factors utilized when making a determination for hiring.
5. The facility operator places the Employment History Affidavit and the written response in the personnel file immediately upon receipt. This information is a permanent part of the personnel file.

C. Upon licensing and re-licensing, the Department's Licensing staff ensure that the Employment History Affidavit (DCYF #108) and written verification are in the personnel files of each employee.

D. The facility operator's failure to require the employment background check or failure to maintain the Employment History Affidavit (DCYF #108) and the written verification on file constitutes grounds to revoke the license of the operator.

E. Facility Employees also comply with DCYF Policy 900.0040, Criminal Background Checks and DCYF Policy 700.0105, Clearance of Agency Activity.

III. Family Child Care Operators/Employees

A. The family child care operator completes the Employment History Affidavit (DCYF #108) and requires has each prospective employee to complete the Employment History Affidavit (DCYF #108).

B. The prospective family child care operator forwards his/her Employment History Affidavit (DCYF #108) to the Licensing Unit.
1. The prospective family child care operator identifies place(s) of employment, address(es), date(s), and supervisor(s) for the past thirty-six months. Employment includes part-time, full-time, and/or volunteer.
2. If the prospective family child care operator has not been continuously employed for the past thirty-six months, he/she completes the affidavit stating that he/she has not been employed and notes the dates he/she was unemployed.
3. The Licensing Unit verifies the employment information listed on the Employment History Affidavit for a period of twelve months prior to application.
4. The Licensing staff places the Employment History Affidavit and the written response in the provider's file. This information is a permanent part of the provider's file.
5. The employment information received is one of the factors utilized when making a determination for licensing.

C. The family child care operator requires each prospective employee to complete the Employment History Affidavit (DCYF #108) and forwards it to the Licensing Unit.
1. The prospective employee identifies place(s) of employment, address(es), date(s), and supervisor(s) for the past thirty-six months. Employment includes part-time, full-time, and/or volunteer.
2. If the prospective employee has not been continuously employed for the past thirty-six months, he/she completes the affidavit stating that he/she has not been employed and notes the dates he/she was unemployed.
3. The Licensing Unit verifies employment information listed on the Employment History Affidavit for a period of twelve months prior to application.

4. ~~The employment information received is one of the factors utilized when making a determination for hiring.~~

5. ~~The Licensing Unit places the Employment History Affidavit and the written response in the provider's file immediately upon receipt. This information is a permanent part of the provider's file.~~

D. ~~Family Child Care Operators and Employees also comply with~~ DCYF Policy 900.0040, Criminal Background Checks ~~and~~ DCYF Policy 700.0105, Clearance of Agency ~~Activity~~.