

March 30, 2020

**Child & Family Services Division
Background Checks**

Frequently Asked Questions

- Q1 I have already had a background check for another purpose/program (ex. schools, concealed weapon permits, private agency employment, other department divisions). Can I use that background check to work in another role, such as child care, residential care, foster care, etc.?**

Unfortunately, no. Federal Bureau of Investigations (FBI) regulations restrict fingerprint-based background check results from being used for purposes other than the purpose that was indicated at the time of fingerprinting.

- Q2 A student has applied to work in childcare; however, they do not have a government issued photo ID. With restrictions in place with the Department of Transportation, can they use a photo school ID?**

The [Compact Council Guide](#) suggests agencies accept only current, valid and unexpired photo identification documents, some of which include a driver's license, driver's permit, passport, or military dependent ID.

However, in the absence of a primary ID, individuals may provide at least 2 secondary identification documents including a current and valid school photo ID and their social security card OR birth certificate for identification purposes. During the COVID emergency, DHS will be following this practice.

- Q3 I need a background check for my employment in an Information technology position with the state. Can the Children and Family Services Criminal Background Check Unit (CBCU) do my background check for me?**

No. The CBCU only has authority to conduct background checks for Children & Family Service licensed and/or contracted programs to include: county social service agencies (child care, foster homes, relative care, TANF kinship care, guardianship), juvenile court, PATH ND, PATH/AASK ND Catholic Charities ND, Catholic Charities/AASK ND, Building Forever Families, Christian Adoption Services, Youthworks (limited programs), Lutheran Social Services of ND (limited programs), Dakota Boys & Girls Ranch, Prairie Learning Center, Charles Hall Youth Services, Eckert Youth Homes, Perry Center, tribal agencies for Affidavit foster homes, Pride Manchester/Hope Home.

Q4 I had a background check from Children and Family Services to work in a child care. Now I want to work in a residential foster care facility. Do I need a new background check?

Possibly. It depends on whether you indicated BOTH purposes on your original background check.

Federal Bureau of Investigations (FBI) regulations set by FBI the restrict fingerprint-based background check results from being used for purposes other than the purpose that was indicated at the time of fingerprinting. Results can be used for more than one purpose ONLY if BOTH purposes (childcare AND residential facility employment) were indicated at the time of fingerprinting on the Personal Authorization for Criminal History Record Information Inquiry Form (SFN 829).

Q5 What is the difference between a background check done by a private background check agency and the fingerprint-based background checks in Children and Family Services? Aren't all background checks the same?

No, there are many different types and degrees of background checks. Fingerprint-based background checks are much more thorough than name-based background checks and even a fingerprint-based background check that relies on publicly available sources is different than the background checks done by Children and Family Services. As a government agency, Children and Family Services Criminal Background Check Unit has had training and security clearance to access several confidential government resources that are not available to private entities, such as child abuse registries across the nation and confidential criminal databases that are not available to private entities.

Q6 I need an abuse and neglect check completed. Are you still processing those types of requests?

Yes. The CBCU continues processing child abuse/neglect index inquiries for public agencies and private non-profit agencies that have agreements with DHS/CFS to conduct Child Abuse and Neglect Index checks.

Q7 Why does it take so long for my background check?

All background checks received by the Children and Family Services Criminal Background Check Unit (CBCU) are processed according to established procedures designed to eliminate errors and move applications through the process as smoothly as possible.

Processing a background check is a complex and exacting procedure dictated by many different state and federal laws, state administrative codes for various programs and practice protocols far and above checking a few websites and databases.

The online application form has helped to reduce handwriting errors; however, CBCU does not have an automated electronic data system for processing background checks. All steps

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completed by CBCU are performed by hand. Human beings cannot match the speed of automated systems.

Many of the causes for delay listed below are in the control of applicants. Applicants for background checks are full partners in timely processing. Attention to detail and carefully following the instructions on the background check website are important components in timely completion of background checks.

The most common reasons for delays in the background check process are:

- Incorrect or incomplete application forms. When information on the completed form gives inconsistent information or when even one of the required answers of the form is skipped, it will cause the application for a background check to be rejected.
- Delays from out-of-state background check agencies. When an applicant has lived out of state and information is requested from another state there are delays because there is no control over timelines of other states.
- Delayed response to request for correction / new form
- When all corrections aren't made as requested, or additional errors are made on the corrected form
- Duplicate requests for same period (i.e., when a request is made as part of an applicant's employment screening rather than when they are offered employment)
- High number of requests for updates to the status of individual applications
- Periods of high volume can create processing backlogs

Q8 What happens if my forms are incomplete?

Incomplete forms, or forms with inconsistent information are flagged by CBCU and returned to the requesting agency / provider and/or applicant to be corrected. The notice that correction is needed is typically sent via email.

Q9 Why was my form returned with red circles on it and why do I have to fill out new forms now?

Forms are returned because the information on the form was either incomplete or inconsistent.

Items circled in red are the areas that are blank or areas where the information does not agree with other information on the form. The red circles indicate the items that need to be corrected on a new form.

New forms are required because a background check cannot be started without all the required information. Forms must be type written rather than simply corrected by hand so that background check staff can reduce errors caused by handwriting that is messy, smeared or otherwise unreadable.

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