

Statement of Deficiencies

7311-A.5: Criminal Background Check Requirements

Not Met

7311-A.5: A record for each paid and non-paid staff person, including substitutes and foster grandparents shall be on file at the center. Personnel record shall include documentation of a fingerprint based satisfactory criminal record check (CBC) from Louisiana State Police as required by R.S. 46:51.2. This check shall be obtained prior to the individual being hired by or present in the child care facility. No person who has been convicted of, or pled guilty or nolo contendere to any offense included in R.S. 15:587.1, shall be hired by or present in any capacity in any licensed child care facility. CBC shall be dated no earlier than 30 days of the individual's hire date at the facility. If a staff person leaves the employment of the provider for more than 30 calendar days, a new fingerprint based CBC is required prior to the individual being rehired by or present on the child care premises. A criminal background check is satisfactory for purposes of this Section if it shows no arrests for any enumerated offense or, if an arrest is shown on the background check, the background check or certified documentation from the jurisdiction of arrest affirmatively shows that the charges were disposed of without a conviction for any excludable offense. A plea of guilty or nolo contendere shall be deemed a conviction. If an individual applicant has previously obtained a certified copy of their criminal background check obtained from the Louisiana Bureau of Criminal Identification and Information Section of the Louisiana State Police such certified copy shall be acceptable as meeting the CBC requirements for employees and/or staff. If an individual provides a certified copy of their criminal background check which he/she has previously obtained from the Louisiana State Police to the provider, this criminal background check shall be accepted for a period of one year from the date of issuance of the certified copy. An original certified copy or a photocopy of the certified copy shall be kept on file at the facility in which the individual is currently employed/providing child care services. However, prior to the one year expiration of the certified criminal background check, a new fingerprint based satisfactory criminal background check shall be obtained from Louisiana State Police in order for the individual to continue employment/providing child care services at the center. If the clearance is not obtained prior to the one year expiration of the certified criminal background check, the individual is no longer allowed on the child care premises until a clearance is received.

Finding:

7311-A.5 Based on record review: Documentation of a satisfactory criminal record check, as required by R.S. 15:587.1, was not available for staff member S6 prior to the individual being present in the facility. S6 date of hire is 6/6/14 and the criminal background check was completed on 6/9/14. S6 was working on the premises on 6/6/14 as evidenced by specialist review of staff attendance logs from 6/6/14-6/23/14. Although the provider had criminal background checks on S10 and S11, the documentation of the criminal background check did not include the date or time the criminal background check was pulled to determine if the report was completed before the staff started working in the center. Provider was not able to print the documentation again. Provider called the Louisiana Department of Public Safety and Corrections and she was notified that she would receive new documentation in the mail. Provider stated that she will fax the documentation to Licensing when it is received.