

# Connecticut Law on Background Checks for Child Care Employees

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## Issue

Summarize Connecticut's law on background checks for child care employees.

## Summary

By law, the Office of Early Childhood (OEC) commissioner, within available appropriations, must require each prospective employee of a child care center or group child care home in a child care position to submit to comprehensive background checks, including state and national criminal history records checks. These required checks must be conducted in accordance with the law's protocols.

The law prohibits prospective employees from having unsupervised access to children in the child care center or group child care home until the comprehensive background check is completed and the commissioner authorizes it.

## Comprehensive Background Checks

### *Prospective Employees of Licensed Child Care Centers and Homes*

By law, the OEC commissioner, within available appropriations, must require each prospective employee of a child care center or group or family child care home in a child care position to submit to comprehensive background checks, including state and national criminal history records checks.

The required criminal history records checks must be conducted in accordance with the protocols outlined below. The commissioner must also request a check of the state child abuse registry. The commissioner must notify each licensee of these background check requirements.

The law prohibits prospective employees from having unsupervised access to children in the child care center or group or family child care home until the comprehensive background check is completed and the commissioner allows the prospective employee to work in the child care center or group child care home ([CGS §§ 19a-80\(c\)](#) & [19a-87b\(c\)](#)).

### ***Applicability of Background Check Requirement***

OEC specifies on its [website](#) that the following child care programs are required to submit background checks:

1. licensed child care facilities and group child care homes;
2. licensed family child care homes; and
3. license-exempt child care facilities that receive funding from Care 4 Kids (e.g., those run by schools or towns). (The Care 4 Kids program is one under which certain parents of low- to moderate-income families in Connecticut receive financial help for child care.)

By law, background checks are generally required at least every five years for:

1. child care staff members, including employees and volunteers age 16 and older who care for children or have unsupervised access to children;
2. family child care home providers, assistants, and substitutes; and
3. everyone age 16 or older who lives in a licensed family child care home ([CGS § 10-530\(b\)](#)).

The law specifies that it does not prohibit the commissioner from requiring a person applying for a position as a child care services provider or staff member to submit to comprehensive background checks more than once during a five-year period ([CGS § 10-530\(c\)](#)).

### ***Background Check Not Required***

Under the law, anyone who applies for a position at a child care facility in the state must not be required to submit to the comprehensive background checks if he or she:

1. (a) is an employee of a child care facility in the state or (b) has not been separated from employment as a child care services provider or staff member in the state for more than 180 days and

2. has successfully completed the comprehensive background checks in the previous five years ([CGS § 10-530\(c\)](#)).

Additionally, according to OEC, unlicensed providers who are related to all the children in their care and those who work with children at a center, but aren't employed by or volunteering for that program, and do not have unsupervised access to children are not required to submit to OEC background checks (<https://www.ctoec.org/background-checks/>).

### ***Background Check Information System***

According to the [OEC website](#), the office is working to make it easier for child care programs to verify that a background check has been completed. As such, the office is developing a Background Check Information System (BCIS), which includes an electronic roster that allows employers to find out the status of their employees' background checks. More information is available here: [BCIS and the Roster](#).

### ***Criminal History Records Checks***

By law, if a criminal history records check is required by state law, it must be requested from the State Police Bureau of Identification and must apply to the individual identified in the request. The requesting party must arrange for the fingerprinting of the individual or for conducting any other method of positive identification required by the State Police Bureau of Identification and, if a national criminal history records check is requested, by the Federal Bureau of Investigation ([CGS § 29-17a](#)).

## **Additional Information**

### ***Youth Camps and Youth Sports Comprehensive Background Check Requirement***

Starting October 1, 2022, a new law generally requires OEC-licensed youth camps and operators of youth athletic activities (e.g., municipalities) to require comprehensive background checks for prospective employees or volunteers age 18 or older applying for a position (1) that involves unsupervised access to children or (2) as coach, instructor, or athletic trainer, respectively. The act establishes specifications for these background checks, such as exemptions for certain visa holders, databases to check, disqualifying crimes, frequency, reporting, penalties, and OEC enforcement powers. The background checks must be carried out in accordance with the protocols outlined above. ([PA 21-82](#), effective October 1, 2021.)

## ***Child Sexual Abuse Instructional and Informational Guidelines***

A new law requires the Governor’s Task Force on Justice for Abused Children, in collaboration with a national association of adult survivors of child abuse, by December 1, 2021, to develop instructional guidelines for youth coaches and child sexual abuse informational guidelines.

The law requires certain municipalities, businesses, and nonprofit organizations operating youth athletic activities (“operators”) and youth camp licensees, starting January 1, 2022, to distribute a copy of the child sexual abuse informational guidelines to the parent or guardian of each activity or camp participant upon enrollment or registration. Under the law, youth athletic activity operators must, by January 1, 2022 and annually thereafter, distribute a copy of the instructional guidelines to their youth coaches ([PA 21-64](#), effective upon passage).

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