

# MISSISSIPPI CCDF POLICY COMPLIANCE CHECKLIST

<input type="checkbox"/>	<p><u>Parental choice of providers :</u>          Policy/Procedure assuring that:          (i) the parent or parents of each eligible child within the State who receives or is offered child care services for which financial assistance is provided under this subchapter, are given the option either-              (I) to enroll such child with a child care provider that has a grant or contract for the provision of such services; or              (II) to receive a child care certificate as defined in section 658P(2);          (ii) in cases in which the parent selects the option described in clause (i)(I), the child will be enrolled with the eligible provider selected by the parent to the maximum extent practicable; and          (iii) child care certificates offered to parents selecting the option described in clause (i)(II) shall be of a value commensurate with the subsidy value of child care services provided under the option described in clause (i)(I); and provide a detailed description of the procedures the State will implement to carry out the requirements of this subparagraph.</p> <p>658E(c)(2)(A)</p>	<p style="color: red;">Section 3.1</p>
<input type="checkbox"/>	<p><u>Unlimited Access:</u>          Procedures are in effect within the State to ensure that CCDF assisted child care providers afford parents <i>unlimited access</i> to their children and to the providers caring for their children, during the normal hours of operation of such providers and whenever such children are in the care of such providers.</p> <p>Be prepared to provide a detailed description of such procedures.</p> <p>658E(c)(2)(B)</p>	<p style="color: red;">Section 9.1 (4)</p>
<input type="checkbox"/>	<p><u>Public Complaints:</u>          Procedures are in effect to ensure the state maintains a record of</p>	<p style="color: red;">Section 8</p>

	<p>substantiated parental complaints and makes information regarding such parental complaints available to the public on request.</p> <p>Be prepared to provide a detailed description of how such record is maintained and is made available.</p> <p>658E(c)(2)(C)</p>	
<input type="checkbox"/>	<p><u>Consumer and Provider Education Information:</u>  Procedures in place to ensure the State collects and disseminates to parents of eligible children, the general public, and, where applicable, to providers:</p> <ul style="list-style-type: none"> <li>(i) information about the availability of the full diversity of child care services that will promote informed child care choices, specifically including the items listed under 658C(2)(E)(i); and</li> <li>(ii) information on developmental screenings (see 658C(2)(E)(ii) for the complete list).</li> </ul> <p>658E(c)(2)(E)</p>	<p>Section 7</p>
<input type="checkbox"/>	<p><u>Public Inspection Reports:</u>  The State, not later than 1 year after the State has in effect the licensing policies and practices described in subparagraph 658(c)(2)(K)(i), will make public by electronic means, in a consumer-friendly and easily accessible format, organized by provider, the results of monitoring and inspection reports, including those due to major substantiated complaints about failure to comply with this subchapter and State child care policies, as well as the number of deaths, serious injuries, and instances of substantiated child abuse that occurred in child care settings each year, for eligible child care providers within the State. The results shall also include information on the date of such an inspection, and, where applicable, information on corrective action taken.</p> <p>658E(c)(2)(D)</p>	<p>Section 7.1; Section 9.7</p>
<input type="checkbox"/>	<p><u>Licensing:</u>  Policies and procedures outlining the licensing requirements</p>	<p>Section 9.1 (2)A</p>

	<p>applicable to child care services provided within the State.</p> <p>658E(c)(2)(F)(i)</p>	
<input type="checkbox"/>	<p><u>Training and Professional Development Requirements:</u> Policies/Procedures in place to impose training and development requirements upon providers that are designed to enable child care providers to promote the social, emotional, physical, and cognitive development of children and to improve the knowledge and skills of the child care workforce. Such requirements shall be applicable to child care providers that provide services for which assistance is provided.</p> <p>658E(c)(2)(G)</p>	<p>Section 9.11</p>
<input type="checkbox"/>	<p><u>Child-to-Provider Ratio Standards:</u> Policies governing:</p> <ul style="list-style-type: none"> <li>- Group size limits for specific age populations</li> <li>- Child : Provider ratios based on age of children</li> </ul> <p>658E(c)(2)(H)</p>	<p>Licensed providers: covered by the licensing agency (State Department of Health)</p> <p>Unlicensed providers ratio standards: Section 9.1 (3)C</p>
<input type="checkbox"/>	<p><u>Health and Safety Requirements:</u> Policies/Procedures in effect to ensure child care providers comply with state or local law concerning:</p> <ul style="list-style-type: none"> <li>- The prevention and control of infectious diseases (including immunization) and the establishment of a grace period that allows homeless children and children in foster care to receive services under this subchapter while their families (including foster families) are taking any necessary action to comply with immunization and other health and safety requirements;</li> <li>- Prevention of sudden infant death syndrome and use of safe sleeping practices;</li> <li>- The administration of medication, consistent with standards for parental consent</li> <li>- Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic,</li> <li>- Prevention of shaken baby syndrome and abusive head</li> </ul>	<p>Section 9.7 (5); Section 9.11.1 (1)A &amp; C and (2)B</p>

	<p>trauma;</p> <ul style="list-style-type: none"> <li>- Emergency preparedness and response planning for emergencies resulting from a natural disaster, or a man-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act under 42 U.S.C. 5195a(a)(1) (see attached);</li> <li>- The handling and storage of hazardous materials and the appropriate disposal of bio-contaminants;</li> <li>- For providers that offer transportation, if applicable, appropriate precautions in transporting children;</li> <li>- First aid and cardiopulmonary resuscitation; and</li> <li>- Minimum health and safety training, to be completed pre-service or during orientation period in addition to ongoing training, appropriate to the provider setting involved that addresses each of the requirements relating to matters described above.</li> </ul> <p>658E(c)(2)(l)</p>	
<input type="checkbox"/>	<p><u>Training State Licensing Inspectors:</u> Policies in place to ensure that individuals who are hired as licensing inspectors in the State are <i>qualified</i> to inspect those child care providers and facilities and have received training in related health and safety requirements, and are trained in all aspects of the State’s licensure requirements</p> <p>658E(c)(2)(K)(i)(l)</p>	<p>see state plan 5.2.2 a</p>
<input type="checkbox"/>	<p><u>“Licensing Inspector : Child Care Facility” Ratio:</u> Policy in place to ensure a sufficient number of licensing inspectors is available to conduct inspections of child care providers and facilities on a timely basis</p> <p>658E(c)(2)(K)(i)(III)</p>	<p>see state plan 5.2.2 d</p>
<input type="checkbox"/>	<p><u>Inspections of Licensed Facilities:</u> Policy in place to require at least 1 <i>pre</i>-licensure inspection for compliance with health, safety, and fire standards for each child care provider and facility in the State.</p>	<p>see state plan 5.2.2 b</p>

	658E(c)(2)(K)(i)(II)(aa)	
<input type="checkbox"/>	<u>Inspections of Licensed Facilities:</u> Policy in place to require <i>annual unannounced</i> inspection for compliance with all child care licensing standards, which shall include an inspection for compliance with health, safety, and fire standards (inspectors may inspect for compliance with all three standards at the same time).  658E(c)(2)(K)(i)(II)(bb)	see state plan 5.2.2 b
<input type="checkbox"/>	<u>Inspections of License-Exempt Facilities:</u> If CCDF funds are available to <i>license-exempt</i> child care providers, then policies must be developed to require annual inspections of these license-exempt providers.  658E(c)(2)(K)(i)(IV)	Section 9.7 (1)B
<input type="checkbox"/>	<u>Child Abuse Reporting:</u> Policy in place to require all child care facility receiving funds to comply with the child abuse reporting requirements of section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act under 42 U.S.C. 5106a(b)(2)(B)(i) (see attached).  658E(c)(2)(L)	Section 9.2 (1)C; Section 9.4 (2); Section 9.7 (5)K; Section 9.8.2; Section 9.11.1 (1)Cxi
<input type="checkbox"/>	<u>Eligibility Redetermination:</u> Policy in place regarding re-determination that ensures that each child who receives assistance will continue to receive assistance for at least 12 months before the state will re-determine that child’s eligibility.  658E(c)(2)(N)(i)(I)	Section 4.3; Section 4.4
<input type="checkbox"/>	<u>Eligibility Redetermination:</u> Policy in place to ensure that working parents (especially parents in families receiving assistance under the program of block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act (42 U.S.C. 601 <i>et seq.</i> ) are	Section 4.4; Section 9.5.5

	<p>not required to unduly disrupt their employment in order to comply with the State’s (or designated local entity’s) requirements for redetermination of eligibility.</p> <p>658E(c)(2)(N)(i)(I)</p>	
<input type="checkbox"/>	<p><u>Eligibility Redetermination- Period before Termination:</u>  At the option of the state, policy to ensure that the State <i>will not terminate</i> assistance based on a parent’s loss of work or cessation of attendance at a job training or educational program for which the family was receiving assistance, <i>without continuing the assistance for a reasonable period of time</i>, of not less than 3 months, after such loss or cessation in order for the parent to engage in job search and resume work, or resume attendance at a job training or educational program as soon as possible.</p> <p>658E(c)(2)(N)(i)(I)</p>	<p>Section 4.4 (8)</p>
<input type="checkbox"/>	<p><u>Graduated Phase-out:</u>  Policies in place to allow for provision of continued assistance to carry out this subchapter (658E(c)(2)(N)), at the beginning of a new eligibility period under clause 658E(c)(2)(N)(i)(I), for children of parents who are working or attending a job training or educational program and whose family income exceeds the State’s income limit to initially qualify for such assistance, if the family income for the family involved does not exceed 85 percent of the State median income for a family of the same size.</p> <p>658E(c)(2)(N)(iv)</p>	<p>N/A (due to the agency’s definitions of priority populations and eligibility requirements)</p>
<input type="checkbox"/>	<p><u>Coordination with Other Programs:</u>  Policy/Procedure in place to ensure the State will efficiently coordinate the CCDF funded services with programs operating at the federal, state, and local levels for children in preschool programs, tribal early childhood programs, and other early childhood programs, including those serving infants and toddlers with disabilities, homeless children, and children in foster care</p> <p><u>Note:</u> if the State elects to combine CCDF funding with funding for other programs described above, the policy/procedure must describe how the State will combine the multiple sets of funding</p>	<p>Section 4.2 (1)A; see state plan 1.2.2</p>

	<p>and use the combined funding.</p> <p>658E(c)(2)(O)</p>	<p>see state plan 1.5.1</p>
<input type="checkbox"/>	<p><u>Public/Private Partnerships:</u> Policy/Procedure in place to encourage partnerships among state agencies, other public agencies, Indian tribes and tribal organizations, and private entities, including faith-based and community-based organizations, to leverage existing service delivery systems (as of the date of the submission of the application containing the plan) for child care and development services and to increase the supply and quality of child care services for children who are less than 13 years of age, such as by implementing voluntary shared services alliance models.</p> <p>658E(c)(2)(P)</p>	<p>Section 3.3 (4); Section 7.1 (1)C</p>
<input type="checkbox"/>	<p><u>Priority for Low-Income Populations:</u> Policy/Procedure in effect with respect to investments made to increase access to programs providing high-quality child care and development services, to give priority for those investments to children of families in areas that have significant concentrations of poverty and unemployment and that do not have such programs.</p> <p>658E(c)(2)(Q)</p>	<p>Section 4.5</p>
<input type="checkbox"/>	<p><u>Early Learning and Developmental Guidelines:</u> Policy/Procedure in place to ensure that the state will implement and maintain early learning and developmental guidelines that are appropriate for children from birth to kindergarten entry, describing what children should know and be able to do and covering the essential domains of early childhood development for use statewide by child care providers. Such guidelines shall:</p> <ul style="list-style-type: none"> <li>(I) Be research-based, developmentally appropriate, and aligned with entry to kindergarten;</li> <li>(II) Be implemented in consultation with the state educational agency and State Advisory Council on Early Childhood Education and Care;</li> <li>(III) Be updated as determined by the State.</li> </ul>	<p>Section 7.1 (1)G &amp; H; Section 7.2; Section 9.9</p>

	658E(c)(2)(R)	
<input type="checkbox"/>	<p><u>Payment Practices:</u> Policy/Procedure in place to ensure that the payment practices of child care providers in the State that serve children who receive assistance under this subchapter reflect generally accepted payment practices of child care providers in the State that serve children who do not receive assistance under this subchapter, so as to provide stability of funding and encourage more child care providers to serve children who receive assistance under this subchapter.</p> <p>658E(c)(2)(S)(i)</p>	<p>Section 9.5.4; Section .6; Section 7.1 (1)A &amp; (D)</p>
<input type="checkbox"/>	<p><u>Payment Practices:</u> Policy/Procedure in place to ensure that the State will, to the extent practicable, implement enrollment and eligibility policies that support the fixed costs of providing child care services by delinking provider reimbursement rates from an eligible child’s occasional absences due to holidays or unforeseen circumstances such as illness.</p> <p>658E(c)(2)(S)(ii)</p>	<p>Section 9.5.5 (6) - (8)</p>
<input type="checkbox"/>	<p><u>Early Learning and Developmental Guidelines:</u> Policy/Procedure in place to ensure that CCDF funds received by the State will not be used to develop or implement an assessment for children that:</p> <ul style="list-style-type: none"> <li>(I) will be the sole basis for a child care provider being determined to be ineligible to participate in the program carried out under this subchapter;</li> <li>(II) will be used as the primary or sole basis to provide a reward or sanction for an individual provider;</li> <li>(III) will be used as the primary or sole method for assessing program effectiveness; or</li> <li>(IV) will be used to deny children eligibility to participate in the program.</li> </ul> <p><u>Note:</u> the State <i>may</i> use a single assessment for other means, such as: supporting learning or improving a classroom environment; targeting professional development to a provider;</p>	<p>See state plan 6.3.4</p>

	<p>determining the need for health, mental health, disability, developmental delay, or family support services; obtaining information for the quality improvement proves at the state level; or conducting a program evaluation for the purposes of providing program improvement and parent information.</p> <p><u>Note:</u> the State is NOT required to submit these guidelines for review.</p> <p>658E(c)(2)(T)(ii)-(iv)</p>	
<input type="checkbox"/>	<p><u>Disaster Preparedness:</u> Policies/Procedures in place to address the needs of children in child care services provided through CCDF, including the need for safe child care in the period before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as such terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).</p> <p>658E(c)(2)(U)(i)</p>	<p>Section 9.5.5 (1); Section 9.8</p>
<input type="checkbox"/>	<p><u>Statewide Childcare Disaster Plan:</u> Policies/Procedures outlining the Statewide Childcare Disaster Plan:</p> <ul style="list-style-type: none"> <li>- <u>Emergency:</u> <i>In the event of an emergency</i> declared by the Governor or a major disaster or emergency as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)(see attached);</li> <li>- <u>Agency/Program Coordination:</u> <i>There must be a plan in place</i> for describing how the following agencies will work together: <ul style="list-style-type: none"> <li>o The state agency with jurisdiction over human services;</li> <li>o The agency with jurisdiction over state emergency planning;</li> <li>o The state lead agency;</li> <li>o The stage agency with jurisdiction over licensing of child care providers;</li> <li>o The local resource and referral organizations;</li> <li>o The State Advisory Council on Early Childhood Education and Care</li> </ul> </li> </ul>	<p>Section 9.8.3</p>

	<ul style="list-style-type: none"> <li>- <u>Protections:</u> The components of the <i>disaster plan must include:</i> <ul style="list-style-type: none"> <li>o evacuation, relocation, shelter-in-place, and lock-down procedures, and procedures for communication and reunification with families, continuity of operations, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions;</li> <li>o guidelines for the continuation of child care services in the period following the emergency or disaster, which may include the provision of emergency and temporary child care services, and temporary operating standards for child care providers during that period; and</li> <li>o procedures for staff and volunteer emergency preparedness training and practice drills.</li> </ul> </li> </ul> <p>658E(c)(2)(U)(ii)</p>	
<input type="checkbox"/>	<p><u>Business Technical Assistance:</u> Policies/Procedures in place to ensure the development and implementation of strategies to strengthen the business practices of child care providers to expand the supply—and improve the quality of—child care services.</p> <p>658E(c)(2)(V)</p>	<p>Section 4.5; Section 9.1 (4)</p>
<input type="checkbox"/>	<p><u>Use of Block Grant Funds:</u> Policy/Procedure in place to ensure that CCDF allocations are <i>only</i> used for:</p> <ul style="list-style-type: none"> <li>- Providing child care services on a sliding fee scale basis;</li> <li>- Activities that improve the quality or availability of such services;</li> <li>- Activities that improve access to child care services, including the use of procedures to permit enrollment (after an initial eligibility determination) of homeless children while required documentation is obtained, training and technical assistance on identifying and serving homeless children and their families, and specific outreach to homeless families, and</li> <li>- Any other activity that the State determines to be appropriate to meet the purposes of this subchapter (which may include an activity described in clause (ii))</li> </ul>	<p>See state plan 6.1.10</p>

	<p>with priority being given for services provided to children of families with very low family incomes (taking into consideration family size) and to children with special needs.</p> <p>658E(c)(3)(B)(i)</p>	
<input type="checkbox"/>	<p><u>Referral Organizations:</u> If a state chooses to use CCDF funds to establish/support a system of local/regional child care resource/referral organizations, then policy/procedure must be in place to ensure that those local/regional child care resource and referral organizations comply with 658E(c)(3)(B)(iii)(II)(aa)-(ff).</p> <p>658E(c)(3)(B)(iii)</p>	<p>See state plan 1.7</p>
<input type="checkbox"/>	<p><u>Limitation on Administrative Costs:</u> Policy/Procedure in place to ensure that no more than 5% of the aggregate amount of funds available to the State in each fiscal year is expended for in the State’s administrative costs.</p> <p>658E(c)(3)(C)</p>	<p>Not covered in CCPP policy manual or state plan</p>
<input type="checkbox"/>	<p><u>Payment Rates:</u> Policy/Procedure in place to ensure that payment rates for CCDF child care services are sufficient to ensure CCDF eligible children have access to childcare services in the state or any other federal or state programs. Specifically, the State must provide a summary of the facts relied on by the State to determine that such rates are sufficient to ensure such access.</p> <p>Procedure: The State must be able to demonstrate that not earlier than two years before submission of the Plan, that it has, after consulting with the State Advisory Council on Early Childhood Education and Care, local child care program administrators, local child care resource and referral agencies, and other appropriate entities, <i>developed and conducted</i> a statistically valid and reliable survey</p>	<p>Section 5.1; Section 9.5</p>

	<p>of the market rates for child care services in the State (that reflects variations in the cost of child care services by geographic area, type of provider, and age of child) or an alternative methodology, such as cost estimation model, that has been developed by the State lead agency.</p> <p>It also must demonstrate that the State prepared a detailed report containing the results of the state market rates survey or alternative methodology, and made the results of the survey or alternative methodology widely available (not later than 30 days after the completion of such survey or alternative methodology) through periodic means, including posting the results on the Internet;</p> <p>It must describe how the State will set payment rates for child care services, for which CCDF assistance is provided—</p> <ul style="list-style-type: none"> <li>- in accordance with the results of the market rates survey or alternative methodology conducted;</li> <li>- taking into consideration the cost of providing higher quality child care services than were provided under this subchapter before the date of enactment of the Child Care and Development Block Grant Act of 2014; and</li> <li>- without, to the extent practicable, reducing the number of families in the state receiving such assistance to carry out this subchapter, relative to the number of such families on the date of enactment of that Act.</li> </ul> <p>Finally, it must describe how the State will provide for <i>timely</i> payment for child care services provided.</p> <p>658E(c)(4)(a)-(B)</p>	
<input type="checkbox"/>	<p><u>Sliding fee scale:</u> The State must establish and periodically revise, by rule, a sliding fee scale that provides for cost sharing (that is not a barrier to families receiving assistance under this subchapter) by the families that receive child care services for which assistance is provided under this subchapter.</p> <p>658E(c)(5)</p>	<p>Section 5.1; Section 5.2</p>
<input type="checkbox"/>	<p><u>Activities to Improve the Quality of Child Care</u> Policy/Procedure to Provide for the reservation of funds pursuant</p>	<p>see state plan 6.1.10 &amp; 7.1</p>

	<p>to 658G(a):</p> <p>(1) A State that receives funds to carry out this subchapter for a fiscal year referred to in paragraph (2) shall reserve and use a portion of such funds, in accordance with paragraph (2), for activities provided directly, or through grants or contracts with local child care resource and referral organizations or other appropriate entities, that are designed to improve the quality of child care services and increase parental options for, and access to, high-quality child care, and are in alignment with a statewide assessment of the State’s needs to carry out such services and care, provided in accordance with this subchapter.</p> <p>(2) Amount of Reservations.—Such State shall reserve and use—</p> <p>(A) to carry out the activities described in paragraph (1), not less than—</p> <ul style="list-style-type: none"> <li>(i) 7 percent of the funds described in paragraph (1), for the first and second full fiscal years after the date of enactment of the Child Care and Development Block Grant Act of 2014;</li> <li>(ii) 8 percent of such funds for the third and fourth full fiscal years after the date of enactment; and</li> <li>(iii) 9 percent of such funds for the fifth and each succeeding full fiscal year after the date of enactment; and</li> </ul> <p>(B) in addition to the funds reserved under subparagraph (A), 3 percent of the funds described in paragraph (1) received not later than the second full fiscal year after the date of enactment and received for each succeeding full fiscal year, to carry out the activities described in paragraph (1) and subsection (b)(4), as such activities relate to the quality of care for infants and toddlers.</p> <p>658G(a)(1)-(2)</p>	
<input type="checkbox"/>	<p><u>Limitation on Uses of Reserved Funds:</u> Reserved funds in 658G(a) will only be used to improve the quality of child care services as provided by 658G(b).</p>	<p>Not covered in CCPP policy manual or state plan</p>

	658G(b)	
<input type="checkbox"/>	<p><u>Annual Reports:</u> Each State receiving funds under this subchapter shall prepare and submit an annual report to the Secretary, which shall include information about—</p> <ol style="list-style-type: none"> <li>(1) the amount of funds that are reserved under subsection (a);</li> <li>(2) the activities carried out under this section; and</li> <li>(3) the measures that the State will use to evaluate the State’s progress in improving the quality of child care programs and services in the State</li> </ol> <p>658G(d)</p>	<p>Included in state plan 7</p>
<input type="checkbox"/>	<p><u>Criminal Background Checks:</u> Policies and procedures in place as set forth in Section 658H. Criminal Background Checks, as follows:</p> <p>(a) In General.-- A State receiving funds shall have in effect--</p> <ol style="list-style-type: none"> <li>(1) requirements, policies, and procedures to require and conduct criminal background checks for child care staff members(including prospective child care staff members) of child care providers described in subsection 658H(c)(1); and</li> <li>(2) licensing, regulation, and registration requirements, as applicable, that prohibit the employment of child care staff members as described in 658H(c).</li> </ol> <p>(b) Requirements shall include—</p> <ol style="list-style-type: none"> <li>(1) a search of the State criminal and sex offender registry or repository in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years;</li> <li>(2) a search of State-based child abuse and neglect registries and databases in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years;</li> <li>(3) a search of the National Crime Information Center;</li> <li>(4) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System;</li> </ol>	<p>Section 9.3</p>

and

(5) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).

(c) Prohibitions—

(1) Child Care Staff Members.—A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance under this subchapter if such individual—

- (A) refuses to consent to the criminal background check described in subsection (b);
- (B) knowingly makes a materially false statement in connection with such criminal background check;
- (C) is registered, or is required to be registered, on a State sex offender registry or repository or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or
- (D) has been convicted of a felony consisting of—
  - (i) murder, as described in section 1111 of title 18, United States Code;
  - (ii) child abuse or neglect;
  - (iii) a crime against children, including child pornography;
  - (iv) spousal abuse;
  - (v) a crime involving rape or sexual assault;
  - (vi) kidnapping;
  - (vii) arson;
  - (viii) physical assault or battery; or
  - (ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years; or
- (E) has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

(2) Child Care Providers.—A child care provider described in subsection (i)(1) shall be ineligible for assistance provided in accordance with this subchapter if the provider employs a staff member who is ineligible for employment under paragraph (1).

(d) Submissions for Background Checks—

(1) A child care provider covered by subsection (c) shall submit

a request, to the appropriate State agency designated by a State, for a criminal background check described in subsection (b), for each child care staff member (including prospective child care staff members) of the provider.

(2) Staff Members.—Subject to paragraph (4), in the case of an individual who became a child care staff member before the date of enactment of the Child Care and Development Block Grant Act of 2014, the provider shall submit such a request—

- (A) prior to the last day described in subsection (j)(1); and
- (B) not less often than once during each 5-year period following the first submission date under this paragraph for that staff member.

(3) Prospective Staff Members.—Subject to paragraph (4), in the case of an individual who is a prospective child care staff member on or after that date of enactment, the provider shall submit such a request—

- (A) prior to the date the individual becomes a child care staff member of the provider; and
- (B) not less than once during each 5-year period following the first submission date under this paragraph for that staff member.

(4) Background Check for Another Child Care Provider.—A child care provider shall not be required to submit a request under paragraph (2) or (3) for a child care staff member if—

- (A) the staff member received a background check described in subsection (b)—
  - (i) within 5 years before the latest date on which such a submission may be made; and
  - (ii) while employed by or seeking employment by another child care provider within the State;
- (B) the State provided to the first provider a qualifying background check result, consistent with this subchapter, for the staff member; and
- (C) the staff member is employed by a child care provider within the State, or has been separated from employment from a child care provider within the State for a period of not more than 180 consecutive days.

(e) Background Check Results and Appeals.—

(1) The State shall carry out the request of a child care provider for a criminal background check as expeditiously as possible, but not to exceed 45 days after the date on which such request was submitted, and shall provide the results of

the criminal background check to such provider and to the current or prospective staff member.

(2) Privacy.—

(A) In General.—The State shall provide the results of the criminal background check to the provider in a statement that indicates whether a child care staff member (including a prospective child care staff member) is eligible or ineligible for employment described in subsection (c), without revealing any disqualifying crime or other related information regarding the individual.

(B) Ineligible Staff Member.—If the child care staff member is ineligible for such employment due to the background check, the State will, when providing the results of the background check, include information related to each disqualifying crime, in a report to the staff member or prospective staff member.

(C) Public Release of Results.—No State shall publicly release or share the results of individual background checks, except States may release aggregated data by crime as listed under subsection (c)(1)(D) from background check results, as long as such data is not personally identifiable information.

(3) Appeals.—

(A) In General.—The State shall provide for a process by which a child care staff member (including a prospective child care staff member) may appeal the results of a criminal background check conducted under this section to challenge the accuracy or completeness of the information contained in such member's criminal background report.

(B) Appeals Process.—The State shall ensure that—

- (i) each child care staff member shall be given notice of the opportunity to appeal;
- (ii) a child care staff member will receive instructions about how to complete the appeals process if the child care staff member wishes to challenge the accuracy or completeness of the information contained in such member's criminal background report; and
- (iii) the appeals process is completed in a timely manner for each child care staff member.

(4) Review.—The State may allow for a review process through which the State may determine that a child care staff member (including a prospective child care staff member) disqualified for a crime specified in subsection (c)(1)(D)(ix) is

	<p>eligible for employment described in subsection (c)(1), notwithstanding subsection (c). The review process shall be consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).</p> <p>(5) No Private Right of Action.—Nothing in this section shall be construed to create a private right of action if a provider has acted in accordance with this section.</p> <p>(f) Fees for Background Checks.—Fees that a State may charge for the costs of processing applications and administering a criminal background check as required by this section shall not exceed the actual costs to the State for the processing and administration.</p> <p>(g) Transparency.—The State must ensure that the policies and procedures under section 658H are published on the Web site (or otherwise publicly available venue in the absence of a Web site) of the State and the Web sites of local lead agencies.</p> <p>658H</p>	
<input type="checkbox"/>	<p><u>Immunization Grace Period Policy</u></p> <p>Policy/Procedure must be in place to allow a grace period for homeless/foster, etc. children entering the CCDF program who are not yet immunized.</p>	<p>Section 3.2 (5)A; Section 9.1 (4)(D)(iii)(a); Section 9.5.4 (9); Section 9.7 (2)(H)(iii) and (5)(A)(i)(a)</p>
<input type="checkbox"/>	<p>Professional Development Policies</p>	<p>Section 9.11</p>
<input type="checkbox"/>	<p>Consumer Education</p>	<p>Section 7</p>