

Provider Record Checks For Child Care

FREQUENTLY ASKED QUESTIONS

WHO NEEDS A RECORD CHECK?

- A person who is being considered for licensure or registration
- A person is being considered for employment and will have direct responsibility for a child or access to a child when alone
- A person who will reside in a child care facility or non-registered child care home that receives or has applied to receive public funding to provide child care
- A person who has applied for or receives public funding for providing child care

WHAT RECORD CHECKS ARE COMPLETED?

- Criminal and child abuse record checks in Iowa every 2 years
- Iowa Sex Offender Registry and Dependent Adult Abuse records are also reviewed every 2 years
- National fingerprint background check every 4 years

WHAT IF A PERSON HAS A RECORD?

- If a person has a transgression, a record check evaluation must be completed.
- A transgression is any of the following:
 - Conviction of a crime
 - Record of founded child or dependent adult abuse
 - Is on the sex offender registry
 - Has committed a public or civil offense
 - The person has had a revocation of a child care registration or license as a result of continued or repeated failure to operate in compliance

WHAT IS AN EVALUATION?

- In an evaluation, the Department must consider:
 - The type and seriousness of the transgression
 - Time passed since the transgression
 - The circumstances under which the transgression was committed
 - The degree of rehabilitation
 - The likelihood that the person will commit the transgression again
 - The number of transgressions committed by the person involved.

WHO IS NOT ALLOWED TO BE INVOLVED IN CHILD CARE?

- Any person that has a record of founded child or dependent adult abuse that was determined to be sexual abuse

- Any person required to be listed on any state or the national sex offender registry
- Has committed the following felony offenses:
 - Child endangerment or neglect or abandonment of a dependent person'
 - Domestic abuse
 - A crime against a child including but not limited to sexual exploitation of a minor
 - A forcible felony
 - Arson
- Has a record of a misdemeanor conviction against a child under the following offenses:
 - Child abuse
 - Child endangerment
 - Sexual assault
 - Child pornography
- Any person subject to a record check refuses to consent to a record check.
- If a person convicted of a crime makes what the person knows to be a false statement of fact in connection to a conviction.
- The following have a 5 year prohibition:
 - Convicted of a controlled substance offense
 - Found to have committed physical abuse
- The department has the authority to determine if a person shall be prohibited from child care through completing an evaluation. If a person is prohibited, they may not be involved unless a new record check is completed and they are approved.