

Employment Background Checks Facility Operators/Facility Employees

Policy: 900.0035

Effective Date: January 6, 1986 Version: 1

In accordance with Rhode Island General Law (RIGL) 40-13.2, any person seeking to operate a residential care facility, day care center, or family day care home which is to be licensed or certified with the Department shall submit an affidavit to the Department providing information relating to individual employment history. The affidavit must include a list of all positions held within three (3) years prior to application for licensing or registration.

RIGL 40-13.2 also mandates the person operating a facility which is licensed or registered with the Department to require all persons seeking employment in positions which involve supervisory or disciplinary power over a child(ren) or involve routine contact with a child(ren) without the presence of other employees to submit a similar affidavit. This affidavit must be submitted to the employer prior to employment. The Department assumes responsibility for ensuring employment background checks for employees of home day care providers.

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Employment Background Checks on Facility Operators

Procedure From Policy 900.0035: Employment Background Checks Facility Operators/Facility Employees Policy

- A. Prior to licensing or certification, Community Resources staff requires an employment history on facility operators who have operational responsibility for the facility.
 - 1. The facility operator completes the Employment History Affidavit (DCYF #108):
 - a. The facility operator identifies place(s) of employment, address(es), date(s), and supervisor(s) for the past thirty-six (36) months. Employment includes part-time, full-time, and/or volunteer.
 - b. If the facility operator has not been continuously employed for the past thirty-six (36) months, he/she must complete the affidavit stating that he/she has not been employed and must note the dates he/she was unemployed.
 - 2. Community Resources staff verifies employment information listed on the Employment History Affidavit for a period of twelve (12) months prior to application:
 - a. A written response is requested.
 - b. The response specifies name, address, title, and place of employment of the person responding and must include an assessment of the reliability, performance, and character of the operator.
- B. The employment information received is one of the factors which Community Resources looks at when making a determination for licensing or certification.
- C. Community Resources staff places the Employment History Affidavit and the written response in the operator's record immediately upon receipt. This information is a permanent part of the record.

Employment Background Checks on Employees of a Facility

Procedure From Policy 900.0035: Employment Background Checks Facility Operators/Facility Employees Policy

- A. Upon re-licensure, Community Resources staff ensures that the Employment History Affidavit and employment written verification are in the personnel files for the following positions which involve supervisory or disciplinary power over child(ren) or involve routine contact with child(ren) without the presence of other employees for positions filled after the effective date of this policy:
 - 1. Child care workers.
 - 2. Child care supervisors.
 - 3. Maintenance, transportation, kitchen, clerical workers.
 - 4. Counselors, therapists, social workers, clinicians.
 - 5. Teachers, aides, principals.
 - 6. Administrators, coordinators, directors.
 - 7. Employees of whatever title whether full-time, part-time, volunteers, or consultants.
- B. The facility operator's failure to require the employment background check or failure to maintain the Employment History Affidavit and the written verification on file will be grounds to revoke the license or registration of the operator.

Employment Background Checks on Prospective Employees of Home Day Care Providers

Procedure From Policy 900.0035: Employment Background Checks Facility Operators/Facility Employees Policy

- A. The home day care operator has each prospective employee complete the Employment History Affidavit.
- B. The home day care operator forwards the Employment History Affidavit to the Division of Community Resources, Day Care Licensing Unit.
- C. The Day Care Licensing Unit supervisor verifies the employment information listed on the Employment History Affidavit.
- D. The Day Care Licensing supervisor places the Employment History Affidavit and the written response in the day care provider's file.