



IDAHO DEPARTMENT OF
HEALTH & WELFARE

C.L. "BUTCH" OTTER - GOVERNOR
RICHARD M. ARMSTRONG - DIRECTOR

ROBERT B. LUCE - Administrator
DIVISION OF FAMILY AND COMMUNITY SERVICES
450 West State Street, 5th Floor
P.O. Box 83720, Boise, ID 83720-0036
PHONE 208-334-5700
FAX 208-332-7331/208-332-7330

July 8, 2011

Dear Daycare Provider:

Our records indicate you have a current daycare license or have had a daycare license within the past three years. As a provider of daycare services, we would like to make you aware of recent changes to Idaho rules governing standards for child care licensing. There were three significant changes impacting child/staff ratios, licensing fees, and local options for licensure that went into effect July 1, 2011.

Child/staff ratios

The current method of determining child/staff ratios adopts a point system on how children are to be counted and removes the maximum group size requirement. Under this system, the maximum allowable points for each staff member providing direct care is twelve (12), using the following point system which is based on the age of each child in attendance:

Age of Child in Attendance	Number of Points Assigned
Under 24 months	2 points
24 months to under 36 months	1 ½ points
36 months to under the age of 5 years	1 point
5 years to under 13 years	½ point

Licensing Fees: The maximum fee to be assessed for a daycare license was established as the following:

Number of Children	Fee
More than 25 children	\$325
13-25 children	\$250
Group daycare facilities and family daycare homes choosing to be voluntarily licensed	\$100

Local Options: Cities or counties have the option to choose to determine whether or not children of a provider count or not count in calculating child/staff ratios in meeting requirements for licensure. If cities or counties do not elect to exercise their right of a local option, state child/staff ratio requirements apply and children of a provider will count in calculating child/staff ratios.

Please be aware, provisional daycare licenses are no longer being issued. Therefore, new daycare facilities will not be allowed to operate until the application for licensure is complete and a license has been issued. Daycare licenses are in effect for two years and must be renewed. Applications for licensure renewal must be submitted and approved within allowable timeframes in order for a daycare facility to continue operation. Daycare facilities that fail to apply and/or complete the renewal process within required timeframes will be required to submit a new application and fee and will not be allowed to operate until a license has been issued.

Please be advised, it shall be a misdemeanor to operate a daycare facility without first obtaining a daycare license from the department. If there is reason to suspect a facility is operating without a daycare license, all related information will be forwarded to law enforcement.

Additional information has been enclosed for your review. This additional information is related to Idaho's State Daycare Licensing application and renewal processes, as well as information related to criminal history compliance. This information specifies some of the required timeframes and requirements when applying for a daycare license or when applying for a renewal of that license. These timeframes and requirements will be enforced. If you have questions about daycare licensing, the licensing application or renewal process, please call the Idaho Careline at 2-1-1 or 1-800-926-2588 and ask to speak with a Daycare Licensing Vendor Specialist to further assist you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marilyn Peoples', written in a cursive style.

Marilyn Peoples
Daycare Licensing Program Specialist

cc: file

Idaho State Daycare Licensing Application Process

Date of Application

Start date of application is the date the completed and signed application is received by IdahoStars.

45 days prior to six months after the date of application

All documentation submitted and fees paid

All documentation noted in the box at the top of this page must be received, correct, and verified within six months from the date of application. Therefore, all required documentation should be submitted at least 45 days prior to six months after the date of application. This allows time for documentation to be verified and allow time for any deficiencies to be addressed and complied with within timeframe requirements. Delays in submitting paperwork may result in insufficient time to process paperwork or give the applicant insufficient time to address any deficiencies noted.

Application Denied

If all documentation noted in the box at the top of the page is not received, correct, and verified within six months from the date of application, the application for license will be denied for failure to cooperate with the application process. Applicants who have been denied are prohibited from reapplying for a daycare license for one year from the date of denial.

The Daycare Licensing Application Includes:

- ✓ Signed and completed application form
- ✓ Applicable licensure fees paid to Health Department
- ✓ Documentation of criminal history clearance
- ✓ Passed Health Inspection
- ✓ Passed Fire Inspection
- ✓ Proof facility meets local ordinance
- ✓ Proof one adult staff member present is certified in pediatric rescue breathing, infant-child CPR, first aid treatment
- ✓ Proof of liability and fire insurance
- ✓ Proof of 4 training hours per year, per staff (Centers only)

Please be aware, provisional daycare licenses are no longer being issued. Therefore, new daycare facilities will not be allowed to operate until the application for licensure is complete and a license has been issued.

Idaho State Daycare Licensing Renewal Process

45 days prior to license expiration date	Licensing renewal form due Licensing fees paid Documentation of criminal history clearance
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All required documentation should be submitted 45 days prior to license expiration. This allows time for documentation to be verified and provides time for any deficiencies to be addressed and complied with prior to license expiration. Delays in submitting paperwork may result in insufficient time to process renewal paperwork or give the applicant insufficient time to address any deficiencies noted.

Expiration date	All required documentation must be submitted and correct.
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If renewal form, fees, or criminal history clearances are not submitted by expiration date, the daycare license will expire and the daycare facility must close. The facility will need to submit a new application and fee. The facility may reopen only once a daycare license has been issued.

If renewal form, fees, and criminal history clearances are submitted by the expiration date, the department may choose to allow up to 45 days for paperwork to be processed and verified. During this time, the daycare license will continue to be in effect and the facility may continue to operate. However, at the end to the 45 day period, a license will either be issued or the application process will be terminated for failure to cooperate with the application process. If the application process is terminated, the facility must close and must submit a new application for daycare license and fee. The facility may reopen only once a daycare license has been issued.

The Daycare Licensing Application Includes:

- ✓ Signed and completed application form
- ✓ Applicable licensure fees paid to Health Department
- ✓ Documentation of criminal history clearance
- ✓ Passed Health Inspection
- ✓ Passed Fire Inspection
- ✓ Proof facility meets local ordinance
- ✓ Proof one adult staff member present is certified in pediatric rescue breathing, infant-child CPR, first aid treatment
- ✓ Proof of liability and fire insurance
- ✓ Proof of 4 training hours per year, per staff (Centers only)



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Standards for Daycare Licensing include criminal history checks of daycare staff and other individuals

CRIMINAL HISTORY COMPLIANCE

Facts and Guidelines

What is the criminal history background check?

The background check is a search of records, databases and registries which include the Federal Bureau of Investigation (FBI), the State of Idaho crime records, Idaho driving records, the statewide Child Abuse Central Registry, Adult Protection Registry, Sexual Offender Registry, Nurse Aide Registry and the Office of Inspector General exclusion list.

Who is required to complete a criminal history background check?

The IDAPA Standards for Daycare state each owner, operator, or applicant seeking licensure for a daycare center, group daycare facility, or a family daycare home must submit evidence that is satisfactory to the Department that owners, operators, staff and all other individuals thirteen (13) years of age or older who have unsupervised direct contact with children or are regularly on the premises have successfully completed, and received a clearance for, a Department criminal history and background check under the provisions of Sections 39-1105 and 39-1113, Idaho Code.

Background checks on youth 13-17 years old must include a check of juvenile justice records for each jurisdiction in which the youth has resided since becoming (13) years of age. The juvenile justice check is to include records of adjudication of the magistrate division of the district court, county probation services and department records.

Under Idaho Code, any person providing daycare for four (4) or more children in a family daycare home is required to obtain a criminal history check.

Where do I go to start a background check?

Go to the web site <https://chu.dhw.idaho.gov> and follow the instructions at the home page. If you need assistance completing your application you can contact the Criminal History Unit at 208-332-7990 or toll free at 1-800-340-1246. If you do not have a computer at home with internet access, computers are available at certain Health & Welfare offices for this purpose or check at your local library.

What if I live in a rural area and cannot get to an IDHW office to complete the fingerprint appointment?

If you cannot get to a Health & Welfare office that provides fingerprinting, you will still complete the application on the web site. Instead of scheduling a fingerprint appointment, you will need to contact the Criminal History Unit at 208-332-7990, toll free at 1-800-340-1246 or by email at crimhist@dhw.idaho.gov to obtain a fingerprint card and directions on completing the fingerprint process by mail.

GUIDELINES FOR CRIMINAL HISTORY CHECK COMPLIANCE

NEW DAYCARE LICENSE APPLICATIONS:

- As a licensed daycare owner/operator, you will need to register with the Criminal History Unit and obtain an Employer Identification Number. You will provide this number on background check applications associated with your daycare.
- Each daycare owner, operator, staff member and all other individuals required to complete a Department criminal history and background check must be included on the daycare application and receive a criminal history clearance *prior* to the issuance of a new daycare license.

DAYCARE LICENSE RENEWAL APPLICATIONS:

- As a licensed daycare owner/operator, you are required to maintain compliance on an ongoing basis and keep records of all criminal history clearance for your staff and other individuals who must meet the criminal history requirements.
- Staff members and other individuals, who have obtained a department criminal history clearance and remain in the same place of employment or daycare residence, are not required to complete another background check unless potentially disqualifying information is obtained. Criminal convictions or juvenile justice adjudications for disqualifying crimes must be self-disclosed to the employer. The employer has five (5) days to report these findings to the Department.
- Your daycare license renewal application must be submitted at least forty-five (45) days prior to the expiration of the current daycare license. Each daycare owner, operator, staff member and all other individuals must be included on the daycare application. Verification of criminal history clearance will be completed prior to the issuance of a daycare license.

TRANSFER OF A CURRENT DEPARTMENT CLEARANCE:

- A department criminal history background check clearance, completed within three (3) years from the date of employment, can be transferred to any employer. To fulfill the criminal history requirement, the new employer must ensure that a new Idaho State Police record check is completed with no disqualifying crimes found. A copy of the department clearance letter and the Idaho State Police record check must be on file with the new employer. Additionally, the transfer must be reported by the employer to the criminal history unit to attach to the correct employer ID#.
- If a Department criminal history and background check clearance is more than three (3) years old from the date of hire, a new Department criminal history and background check is required.

WHEN CAN A NEW STAFF MEMBER WORK IN THE DAYCARE?

- The licensed daycare provider has three options as to when a new staff member can begin work. They may choose to start the staff member once they receive the signed and notarized criminal history application. They may want to wait until the after the fingerprint appointment or they may wait until the background check is cleared. Regardless, the provider is required to follow up through completion of the process and maintain records.

GUIDELINES FOR CRIMINAL HISTORY CHECK COMPLIANCE (CONT.)

WHY IS A NOTARIZED SIGNATURE REQUIRED ON THE APPLICATION?

- The notarized signature on the application gives Health & Welfare the authorization to conduct the background check and share certain information with the employer or licensing agency. *Signing the application affirms that the information provided is correct.* Failure to disclose criminal record may result in the denial of application for a period of three years, or criminal prosecution for perjury.

Please remember, as a licensed daycare provider, your responsibilities include:

- Making employment and child safety decisions
- Prescreening applicants prior to their submitting an application
- Knowing how to use the criminal history web site and assisting applicants in submitting their application
- Identifying any disqualifying offenses that may pose a risk to health or safety
- Excluding applicants with disqualifying offenses. An applicant with disqualifying offenses will not clear a criminal history background check and cannot work in a daycare.
- Providing employees with the 4 digit Employer ID#, the type of service and contact information.
- Ensuring timeframes are met. Fingerprints are required to be submitted 21 days of signing the application and having it notarized. If the fingerprint appointment is not completed in this timeframe, the applicant or staff member is not in compliance with the criminal history requirements and cannot work or continue to work in a daycare.
- Reviewing background check results.
- Printing the clearance letter and keeping a copy on file.
- Conducting the Idaho State Police record check on all accepted criminal history clearance transfers and keeping a copy on file.
- Contacting the criminal history unit to add the Employer ID# to a transferred clearance.

If you have questions regarding these Facts and Guidelines for Criminal History Compliance for daycare licensing, please contact the Idaho Careline at 2-1-1 or 1-800-926-2588 and ask to speak with a vendor specialist, who will be happy to assist you.