



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR

COL. KRISTE KIBBEY ETUE
DIRECTOR

November 15, 2013

To Whom it May Concern:

I am writing you regarding changes that will affect your agency. Private companies receiving Criminal History Record Information (CHRI) to make employment and licensing determinations on behalf of an authorized agency will be affected. This includes contractors that provide services to place teachers, substitute teachers, food services workers, janitorial staff, transportation workers, etc.

The Michigan State Police (MSP) is responsible for ensuring the uses of CHRI, such as employment and licensing determinations, is handled according to state and federal legislation, regulations, and policies. As such, the MSP has been working to ensure that agencies receiving CHRI for these purposes are authorized and in compliance.

Although Michigan law provides schools with authority to contract with companies to conduct national fingerprint based background checks for school employment, federal law restricts the receipt of the criminal history information from nongovernmental agencies. Therefore, we will no longer be forwarding federal background check responses directly to private companies (contractors) **effective January 1, 2014**. The agency ID assigned to your company for this purpose will be restricted at that time.

We are aware that some authorized agencies have entered into outsourcing agreements with contractors and may have completed a fingerprint background check of their personnel. However, the MSP has received clarification that these agreements, as it relates to accessing CHRI and the fingerprinting of contractor personnel, are not in compliance with FBI guidelines. Therefore, your agency should work to ensure that processes are in place to begin turning over all electronic and physical copies of CHRI to the authorized agency on whose behalf the fingerprint background check was completed. Your agency must ensure that each school where a contracted employee is placed receives a copy of the CHRI response for their records. Contractors shall not retain any copies of CHRI, electronically or physically, currently stored at your facility or elsewhere. The relinquishing of CHRI to schools by contractors shall be completed by **December 31, 2013**.

We are aware that this information may generate numerous phone calls to our office. Therefore, we have updated our Web site www.michigan.gov/cjicats to include frequently asked questions as a result of this change. However, if you wish to contact this office directly, you can reach me at bowerk@michigan.gov or Narcisa Morris at morrisn@michigan.gov.

Sincerely,

A handwritten signature in cursive script that reads "Katie Bower".

Katie Bower, Michigan Compact Officer
Assistant Division Director
Criminal Justice Information Center