From: MSP-CJIC-ATS
To: MSP-CJIC-ATS
Subject: MSP NCJA Update-School Child Care Program Licensing & Renewal
Date: Tuesday, February 11, 2014 3:30:08 PM
Attachments: BCAL-Affidavit_for_Assign.docx

Dear NCJA:

This is an update on behalf of the Department of Michigan State Police (MSP), Criminal Justice Information Center (CJIC), Security & Access Section (SAS). You are receiving this message as you have requested, or agreed, to be added to our SAS Listserv. If you no longer wish to receive updates, or you feel you've received this message in error, please reply to this correspondence with "REMOVE" in the subject line.

Question: As a school established and operated Child Care Organization Program (Day care, preschool, special 4's, etc.), am I to provide the Criminal History Record Information (CHRI) to the Bureau of Children and Adult Licensing (BCAL) auditors/licensing representatives for my child care program?

The MSP has no responsibility or authority that speaks to the requirement of producing any other licensing purpose/auditing documentation (1326-CC, medical records, TB test results, etc.). This guidance is for the CHRI purpose only. Please refer to your "Child Care Center Record Requirements" check list for documentation and records needed for licensing and renewal. You may also contact BCAL for questions regarding required documents and records at, (517) 284-9735.

For the purpose of CHRI, per Michigan Compiled Law (MCL) 722.115c a school that applies or renews a license *shall* perform a state and federal criminal history check for a person, licensee designee, chief administrator, and program director of the child care organization (MCL 380.1230 to 1230h). BCAL is to verify that this has taken place in order to issue or grant a renewal of a license to your school. Therefore, while your school cannot provide the actual CHRI response, the MSP is approving the dissemination of the Transaction Control Number (TCN) *and the date the school approved the work assignment* for this BCAL licensing and renewal purpose.

An Internet Criminal History Access Tool (ICHAT) check or equivalent check is required by law for employees of the child care program (MCL 722.115d). The ICHAT response can be shared with BCAL as it is public information. The MSP is responsible for the issuance of ICHAT accounts; approving access and conducting audits for the correct use of ICHAT. If during an MSP ICHAT audit the sharing of ICHAT with BCAL is found, this would not be a concern.

While a state and federal fingerprint check of the child care program is not required by law, a school (as an authorized entity) may choose to fingerprint these individual positions per the National Child Protection Act (NCPA)-Child Protection Employment (CPE). If these checks are completed, you may provide the TCN *and the date the school approved the work assignment* for these individual positions to BCAL upon request. If a fingerprinting check is completed, then an ICHAT check would not be required by BCAL.

As our state has implemented the “Red Light/Green Light” letter for communicating an individual has been accepted or not accepted to work in your school; these letters may also be shared with BCAL. A modified sample letter is attached and can meet the CHRI portion of BCAL needs: TCN and individual approval date.
Per the FBI security requirement s of CHRI, actual CHRI media (physical or electronic) retained can be maintained in the school business office. However, the red light/green light letters or TCN and approved to work dates can be maintained at the child care program site in order to ensure appropriate records are made available to BCAL.

Thank you,

Michigan State Police
Criminal Justice Information Center
Security & Access Section
Auditing Unit
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