

## Report in Brief

Date: February 2021

Report No. A-03-19-00253

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES  
**OFFICE OF INSPECTOR GENERAL**



### Why OIG Did This Audit

The Child Care and Development Block Grant Act (CCDBG Act) of 2014 added new requirements for States that receive funding from the Child Care and Development Fund (CCDF) to conduct comprehensive criminal background checks on staff members and prospective staff members of child care providers every 5 years. Criminal background check requirements apply to any staff member who is employed by a child care provider for compensation or whose activities involve the care or supervision of children or unsupervised access to children.

Our objective was to determine whether Virginia's monitoring process ensured provider compliance with State requirements related to criminal background checks established under the CCDBG Act.

### How OIG Did This Audit

Our audit covered 1,721 licensed child day centers and family day homes that received CCDF funding during State fiscal year 2018. We used geographic area, total capacity, and total CCDF funding received to select 15 child day center providers and 15 family day home providers. In total, we reviewed supporting documentation for 377 household members and employees at 30 child care provider locations.

## Virginia's Monitoring Did Not Ensure Child Care Provider Compliance With State Criminal Background Check Requirements at 8 of 30 Providers Reviewed

### What OIG Found

Virginia's monitoring process ensured provider compliance with State requirements related to criminal background checks at 22 of the 30 child care provider locations we reviewed but did not ensure provider compliance at the remaining 8. Of the 8 provider locations for which we found errors, 4 had a total of 9 violations related to background checks recorded in their 2019 inspection reports. In total, we found that 15 of the 377 household members and employees reviewed did not have a current and completed background check. These errors occurred because providers did not always request all required background checks for all employees, and Virginia did not effectively monitor child care providers to ensure that they completed all required criminal background checks. Although child care providers receive training on background checks before applying for licensure, they do not receive any periodic training on the background check requirements. By not ensuring that all child care staff members who supervised or had routine unsupervised contact with children had complete criminal background checks, Virginia potentially jeopardized the safety of children in its care.

### What OIG Recommends and Virginia Comments

We recommend that Virginia: (1) conduct all required criminal background checks for the 15 individuals in our sample who did not have the required checks at the time of our review; (2) revise State guidelines to specify that inspectors should use verified information, such as payroll data, from each child day center to determine which employees' criminal background checks must be reviewed; (3) revise State guidelines to increase the number of current employees that inspectors review at all child day centers to ensure provider compliance with criminal background check requirements; and (4) provide periodic training to providers to ensure they request required background checks.

In written comments on our draft report, Virginia concurred with our recommendations and provided information on actions that it had taken to address them such as increasing the number of employee records reviewed during inspection. Virginia also provided additional support and adjustments to the number of employees needing background checks. We incorporated Virginia's adjustments, as appropriate, into our report.