



**Department of  
Early Education and Care**  
THE COMMONWEALTH OF MASSACHUSETTS

**EEC Background Record Check Unit**

**POLICY STATEMENT: BRC Program Administrators Role in BRC  
Navigator for Group and School Age (GSA) Programs**

**DATE: September 10, 2019**

**EEC BRC UNIT POLICY NUMBER: 19-007**

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**BRC Program Administrator Role in BRC Navigator**

Becoming a BRC Program Administrator

BRC Program Administrators are responsible for submitting candidate information during the Background Record Check (BRC) process for the Department of Early Education and Care (EEC), including consent forms for candidates, employment and affiliation decisions and any other information requested by the EEC BRC Unit. The BRC Program Administrator is also responsible for updating candidates' locations of care in BRC Navigator. In order to be designated as a BRC Program Administrator, candidates must at least possess a provisional status. Such individuals will not have access to the BRC Navigator until they have been found suitable. BRC Program Administrators must also sign the non-disclosure agreement, available on EEC's website, which must be kept on file by the Licensee of the program.

Consent Forms

A BRC consent form must be signed by a candidate prior to running the BRC. Candidates are those who are or will be directly employed or intern with an EEC licensed, funded or approved program. Candidates also include all transportation personnel (who are assumed to have unsupervised access to children) and any unsupervised volunteers, contractors, and sub-contractors who have unsupervised access to children.

Identification Process

BRC Program Administrators are required to secure a copy of the candidate's photo identification when submitting an EEC BRC. They must use one of the approved documents that are available on the BRC Navigator. It is incumbent on the BRC Program Administrator to enter

the candidate's information as an **exact match to the candidate's identification document**; otherwise, the candidate will be turned away from fingerprinting.

#### **Submission of EEC BRC Requests**

Licensees or BRC Program Administrators will submit EEC BRC requests directly through the BRC Navigator or an EEC-approved means of submission. A copy of the consent form, a copy of the identification provided, EEC's provisional authorization if applicable, and the candidate's final suitability determination must be maintained in each candidate's personnel folder.

EEC regulation at 606 CMR 14.07(7) requires that EEC BRC Program Administrators ensure that all candidates re-certify consent each year (once implemented) if the candidate is still working for or providing services on behalf of the Program. If any of the identifying information provided does not match the prior BRC form that was submitted by the Licensee or BRC Program Administrator, then the Licensee or BRC Program Administrator must verify the candidate's identity again and maintain a copy of their more recent identification. If there is evidence that the candidate provided false information, then the Licensee or BRC Program Administrator must notify EEC's Background Record Check Unit.

#### **Frequency of the EEC BRC Process**

EEC, Licensees, and BRC Program Administrators will not process BRCs more frequently than required by state statute unless an exception applies. Candidates who fall within the following exceptions may be required to complete a partial or full EEC BRC prior to their BRC renewal date at the discretion of EEC:

1. Candidates who have moved outside of Massachusetts since the last EEC BRC was completed and who have had a break in employment or affiliation of thirty days or longer;
2. When it has been revealed by the candidate, through automated notification of subsequent activity, or another reliable source that new criminal charges have been brought, there has been a child welfare investigation, or the candidate has been required to be registered or classified as a sex offender in Massachusetts or any other state or territory;
3. Candidates who have a break of 180 days or more from being affiliated with an EEC Program;
4. EEC or the Program Administrator has discovered that the candidate has false, misleading or incomplete information on file;
5. Candidates who may be involved in any EEC or child welfare investigation;
6. For purposes of resolving a candidate's pending criminal charge, sex offender status or child welfare information; or
7. Candidates who are changing their role or program type.

Candidates who are changing their role or program type and must be re-submitted and complete the entire BRC process, including fingerprinting again, may include, but are not limited to, the following:

Role:

1. Family child care assistants who are seeking to work as a family child care educator;
2. Family child care educators who are seeking to work as a family child care assistant;
3. Household member in a family child care program changing to a family child care educator;
4. From an employee in a group and school aged or funded program to a licensee in a group and school aged program;
5. From an employee in a group and school aged or funded program to a Designated Administrator in a funded program; and
6. From a transportation driver for a group and school aged program to an educator in a group and school aged child care program.

Program Type:

1. From family child care to group and school age child care;
2. From an affiliated agency to a group and school aged child care candidate;
3. From a group and school aged child care program to a family child care program;
4. From a funded child care program to a family child care program; and
5. From a residential program to a group child care program.

**Hiring Decisions**

Provisional Hiring

If the BRC results reveal that there are no relevant findings during the sex offender and fingerprint-based checks, the Licensee or BRC Program Administrator may be notified of the possibility of hiring the candidate provisionally. Transportation personnel, affiliated persons, temporary agency staff, and contracted/service providers are excluded from provisional hiring. Any program staff person that has a current final suitability determination of “suitable” must provide direct supervision to an individual with a provisional hiring status.

Final Hiring Decision after Suitability

Once a final determination of “suitable” or “not suitable” is provided to the program and the candidate, the Licensee or BRC Program Administrator must update the employment decision on the BRC Navigator Program Portal within a timely manner. If at any time following a finding of suitability, EEC concludes that the candidate is “not suitable” or the candidate’s status has changed to “not suitable”, then EEC will notify Program via the BRC Program Portal.

Updating Hiring Decision after Candidate Leaves a Program

EEC BRC Program Administrators are required to change the hiring status of individuals who are not hired. They also must update individuals when they leave the program by marking them as “ended employment” or “not hired”.