



EEC Background Record Check Unit

POLICY: Delinquencies on Table of Disqualifying Offenses-Mandatory Disqualifications within Child Care Programs

DATE: **December 4, 2019**

EEC BRC UNIT POLICY NUMBER: 19-019

Delinquencies on Table of Disqualifying Offenses-Mandatory Disqualifications within Child Care Programs

Mandatory Disqualifications arise from certain criminal convictions appearing on an offender's criminal record that federal law specifies must result in a lifetime ban from working in a child care program. A pending criminal charge of the type listed in the mandatory disqualification table yields a disqualification that may last until the criminal charge is no longer open or unresolved, or for a lifetime if a conviction ensues. As of September 2019, it is EEC's policy that juvenile offenses adjudicated as "delinquent" on the Table of Disqualifying Offenses - Mandatory Disqualifications will not be categorized as Mandatory Disqualifications or Mandatory Pending offenses. Instead, a "delinquent" finding will be subject to an individualized review prior to any final suitability determination. Any "delinquent" finding that previously was categorized as a Mandatory Disqualification will be revisited and subject to an individualized review. Candidates may be permitted to work during the review period in a supervised provisional status within EEC's discretion as allowed by EEC's regulations.