



# The Commonwealth of Massachusetts

## Department of Early Education and Care

<b>POLICY</b>	
<b>Closing BRC Discretionary Review Applications Due to Non-Response</b>	<b>Applicability: Background Record Checks – All Licensed and Funded Programs</b>
<b>Effective Date: October 1, 2024</b>	

To ensure candidates do not remain in or affiliate with a program for more than 45 days without a final Background Record Check (BRC) suitability determination or approval from EEC, beginning October 1, 2024, all BRC candidates who remain in pending, renewal, provisional and/or conditional status for more than 45 days and have not responded to EEC's request for additional information will be given a suitability determination of "Not Suitable" due to their failure to respond.

Candidates who have already been in contact with either their licensor or the BRC unit in an effort to complete their BRC application will be granted an additional 30 calendar days beyond the 45-day deadline to complete the BRC discretionary review process. If, after the 30-day extension, the candidate still has not submitted all requested information, they will be given a suitability determination of "Not Suitable."

All candidates given a suitability determination of "Not Suitable" due to their failure to respond will no longer be authorized to work in or affiliate with an EEC-licensed and/or funded program and must be removed from the program within 14 days.

All candidates will receive a Not Suitable letter via email outlining any applicable appellate rights. Programs will receive a Not Suitable letter for the candidate via the BRC Program Portal or, in the case of family child care providers, by email.