



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

Background Record Check Unit

Policy Statement: Retention Policy for Programs – Group and School Age (GSA) and Funded Programs Only

Date: September 10, 2019

EEC BRC UNIT POLICY NUMBER: 19-010

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BRC Navigator System

Licensees and Background Record Check (BRC) Program Administrators within programs licensed, approved, and funded by the Department of Early Education and Care (EEC) must keep current copies of the EEC BRC consent form, the candidate's identification, EEC's provisional or conditional authorization, if applicable, and the candidate's final EEC suitability determination, in each candidate's personnel folder for candidates run for a through the EEC BRC Navigator. *See* 606 CMR 14.14(2). There is no longer a need for a separate, locked BRC folder for these individuals. EEC does not have any requirements about where this personnel folder is maintained as long as it is accessible to EEC licensors during visits.

EEC's Legacy System (BRC Manager)

For candidates who were run through the BRC Manager (EEC's legacy system), Licensees and/or BRC Program Administrators must keep the candidate's information in a separate and locked BRC folder until that candidate has been re-run in the new BRC Navigator. This folder must be maintained separately from the candidate's personnel folder and in a secure location. If you have a locked BRC folder for a candidate who is no longer present at the Program and will not be run through the new BRC Navigator, it is recommended that the Program keep the file for a duration of three years for audit purposes. After that time, the contents of the locked BRC folder should be shredded.

EEC will periodically review BRC related documentation maintained by programs to ensure compliance with state and federal statutes, regulations, policies and procedures. All programs must develop their own policies and procedures that ensure that EEC can audit compliance with EEC's BRC requirements within its BRC, licensing, and enforcement regulations. Programs are also subject to Department of Criminal Justice Information Services (DCJIS) and Federal Bureau of Investigation (FBI) audits to ensure compliance with DCJIS regulations at 803 CMR 2.00 et. Seq. and the FBI CJIS Security Policy.

Family Child Care Licensees are excluded from this requirement because they do not maintain Criminal Offender Registry Information (CORI) or Department of Children and Families (DCF). Please see Family Child Care Retention Policy for further information.