

# IMPORTANT INFORMATION FOR PARENTS

## CAREGIVER BACKGROUND CHECK PROCESS CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

The California Department of Social Services works to protect the safety of children in child care by licensing child care centers and family child care homes. Our highest priority is to be sure that children are in safe and healthy child care settings. California law requires a background check for any adult who owns, lives in, or works in a licensed child care home or center. Each of these adults must submit fingerprints so that a background check can be done to see if they have any history of crime. If we find that a person has been convicted of a crime other than a minor traffic violation or a marijuana-related offense covered by the marijuana reform legislation codified at Health and Safety Code sections 11361.5 and 11361.7, he/she cannot work or live in the licensed child care home or center unless approved by the Department. This approval is called an exemption.

A person convicted of a crime such as murder, rape, torture, kidnapping, crimes of sexual violence or molestation against children **cannot by law be given an exemption that would allow them to own, live in or work in** a licensed child care home or center. If the crime was a felony or a serious misdemeanor, the person must leave the facility while the request is being reviewed. If the crime is less serious, he/she may be allowed to remain in the licensed child care home or center while the exemption request is being reviewed.

### How the Exemption Request is Reviewed

We request information from police departments, the FBI and the courts about the person's record. We consider the type of crime, how many crimes there were, how long ago the crime happened and whether the person has been honest in what they told us.

The person who needs the exemption must provide information about:

- The crime
- What they have done to change their life and obey the law
- Whether they are working, going to school, or receiving training
- Whether they have successfully completed a counseling or rehabilitation program

The person also gives us reference letters from people who aren't related to them who know about their history and their life now.

We look at all these things very carefully in making our decision on exemptions. By law this information cannot be shared with the public.

### How to Obtain More Information

As a parent or authorized representative of a child in licensed child care, you have the right to ask the licensed child care home or center whether anyone working or living there has an exemption. If you request this information, and there is a person with an exemption, the child care home or center must tell you the person's name and how he or she is involved with the home or center and give you the name, address, and telephone number of the local licensing office. You may also get the person's name by contacting the local licensing office. You may find the address and phone number on our website. The website address is <http://cld.ca.gov/contact.htm>.

# 致家長的重要資訊

## 加州社會服務處 看顧人背景調查過程

加州社會服務處致力於保護在托兒照顧場所受托管孩童的安全，為此我們採取頒發執照給托兒照顧中心及家庭式托兒照顧所之法。我們最高的優先次序乃是保證兒童托管在安全健康的托兒照顧環境中。加州法律規定任何擁有，住在托兒照顧中心或托兒家庭，或在那裡工作的成人都須經過背景調查。這些成人每一個人都必需打印指印以便進行對他們的背景調查，看他們是否有任何犯罪歷史。如果我們發現有人曾經被判有罪，且非輕微違犯交通規則之罪或在大麻改革立法編纂的健康和安全法規第11361.5和11361.7與大麻有關的罪行，他/她就不能在有執照的托兒照顧中心或托兒家庭工作或居住，除非社會服務處特予批准。此項批准稱為免除。

被判犯了謀殺，強姦，凌虐，拐帶，暴力性犯罪或褻瀆兒童等罪之人**依法不得給予免除使他們擁有，居住或受雇於**有執照的托兒照顧中心或托兒家庭。假如一個人犯的罪是惡性重罪或嚴重的違法行為，在請求免除的審核進行時，那人必須離開托兒照顧的設備場地。假如所犯的罪較不嚴重，在請求免除的審核進行時，他/她可以許可留在有執照的托兒照顧中心或家庭。

### 請求免除如何審核

我們從警察局，聯邦調查局及法庭索取有關人員的記錄。我們考慮所犯之罪的類型，犯罪次數，罪案於多久之前發生，以及那人是否誠實地告訴我們所發生的事等因素。

需求免除人士必需提供下列資訊：

- 所犯之罪案
- 他們如何改變他們的生活並遵守法律
- 目前他們是就業，上學，或接受訓練
- 他們是否成功的完成輔導諮商或復健課程

此人還須從跟他沒有關係，但對他們過去和現在的生活有瞭解的人士發出推薦信給我們 I。

我們非常謹慎的研判以上所有事項以對是否給予免除做決定。依法這些資訊不得向公眾透露。

### 如何獲得更多資訊

作為孩子受托在有執照的托兒中心的家長 / 家長授權代表，你有權詢問是否有人得到免除且准許在有執照的托兒家庭或中心內工作或居住。如果你提出問題，而且在那裡是有人得到免除，托兒家庭或中心必需告訴你那人的姓名和他/她跟托兒家庭或中心的關係，並且給你當地的執照發放機構的名稱，地址，和電話號碼。你也可以連絡當地的執照發放機構以獲得該人士的姓名。你可以在我們的網址上找到地址和電話號碼。我們的網址是：[http://ccl.dss.cahwnet.gov/RegionalOf\\_1829.htm](http://ccl.dss.cahwnet.gov/RegionalOf_1829.htm)