

# CDSS TrustLine Web-Based Application (TWA)

## START



TrustLine applicant calls to schedule a fingerprint appointment.

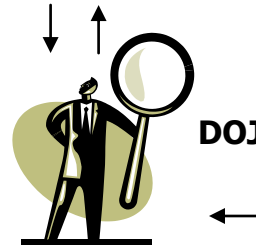
Provider goes to Live Scan site to be printed

Fingerprint technician confirms applicant's name and ID and scans prints.



TrustLine Applicant obtains the TrustLine application (TLR 1) form including the Criminal Record Statement (TLR 508) and the Live Scan Form (TLR 9163) if printed by law enforcement office.

DOJ transmits prints to FBI, FBI returns results to DOJ



DOJ transmits background check results to CDSS

Live Scan site transmits Finger Print information to DOJ



**CDSS**

CDSS transmits background check results to Network

CDSS communicates results with the applicant.



R&R may enter application using CDSS online TrustLine application form. R&R sends paper application to CDSS.

Prior to forwarding the application to the R&R, the payment program may enter the application using the CDSS online TrustLine application form.

**OR**

Applicant sends/delivers application to the agency listed in Box 11 on the application form: either the R&R or the payment program



California Child Care Resource & Referral  
**NETWORK**

Network notifies R&R and Payment Program associated with applicant's status on TrustLine



Child Care keeps California working



### KEY

DOJ = Department of Justice  
CDSS = California Department of Social Services  
R&R= Resource & Referral Program

## Reviewing a Subsidized TrustLine Application

### *For Child Care Resource and Referral Program Staff and/or Payment Program Staff*

#### Checklist

**Question****Yes No****Application**

Is there a completed TrustLine application/Live Scan form (TLR 1), and a completed TrustLine Registry Criminal Record Statement (TLR 508), and proof that the applicant has submitted his/her fingerprints? (If the applicant is having his/her prints taken at a law enforcement office, the Police Department or Sheriff's office may require him/her to complete the Request for Live Scan Service form (TLR 9163) in addition to the TrustLine application form. The codes/information the law enforcement office will need are as follows: ORI #: A1157; Applicant Type: CalWORKs/CDE; Working Title: Child Care Provider.) \_\_\_\_\_

Is all the information printed legibly and the application signed (Box 9)? \_\_\_\_\_

**Name**

Is the name exactly the same on the application/Live Scan form and on the TLR 508 (and the Live Scan Form-TLR 9163 form if used)? \_\_\_\_\_

(Recommend to applicants that they use the name that is on their identification card. If the applicant's I.D. shows the maiden name but she uses a married name, use the married name as the main name and the maiden name as the AKA.)

Did the applicant sign and date Box 9 on the application/Live Scan form and sign and date the TLR 508? Do the signatures match? If not, please have the applicant clarify/resign. (If the signature is missing on any of the forms, return to the applicant to be signed.) \_\_\_\_\_

Do the signature(s) match the applicant's name? If not, have applicant clarify/resign. \_\_\_\_\_

**Address**

Is the address complete? (City names must be spelled out. Abbreviated city names should be corrected.) \_\_\_\_\_

Is the address on the application/Live Scan form (TLR 1) the same as on the TLR 508 (and the Live Scan Form TLR 9163 if used)? If not, have the applicant clarify. \_\_\_\_\_

**Date of Birth**

Is the date of birth listed? (The applicant must be 18 years of age or older to apply.) \_\_\_\_\_

**Sex of Applicant**

Has the applicant indicated his/her sex with an "M" or "F"? \_\_\_\_\_

**Height, Weight, Eye and Hair Color**

Has the applicant listed his/her height, weight and eye and hair color? \_\_\_\_\_

**Identification Number (I.D.)**

Is the applicant's identification number listed in box 6b? (An applicant must list one of these four I.D.'s: California Driver's License, California I.D. card, Alien Registration Card, or a numbered, picture I.D. issued from a state other than California. If the application only has a social security number listed without one of the four acceptable I.D.'s it will be returned.) \_\_\_\_\_

## Question

Yes No

### **Transfer** *(If the individual is not Transferring, skip to the next topic heading.)*

If the individual is transferring a clearance from Community Care Licensing, did s/he mark the appropriate boxes and include a facility or personal identification number? (Call TrustLine in Sacramento at 1-888-422-5669 to see if a person is listed as cleared on the Community Care Licensing database.)

\_\_\_\_\_

If the applicant is transferring a clearance, did s/he include a copy of his/her photo-Identification?

\_\_\_\_\_

### **Prior Criminal Activity**

Did the applicant complete the TLR 508 including signing and dating the form?

\_\_\_\_\_

If the applicant marked “yes” to either or both of the first two questions on the TLR 508, did s/he complete Page 2 of the TLR 508? If s/he marked “yes,” to either or both of the first two questions on page 1 of the TLR 508, s/he must sign and date both sides of the form.

\_\_\_\_\_

### **Agency Information and Coding**

Is the Child Care Resource and Referral Program name and code listed in Box 13?

\_\_\_\_\_

Is only one payment program listed (either Box 12 is completed or the APP name and code number are listed in Box 13.)?

\_\_\_\_\_

If Box 12 is completed, did the worker include his/her name and phone number?

\_\_\_\_\_

Is the child care program marked in either box 12 or 13 (Stage 1, Stage 2, Stage 3, etc.)? (The child care program should not be marked in both box 12 and box 13.)

\_\_\_\_\_

### **Did you answer “NO” to any of these questions?**

If you answered “**NO**” to any of these questions, do not forward the TrustLine application to the CA Department of Social Services. You have several options depending on what information is missing or incorrect on the application form:

- 1) Contact the applicant and have them come in or send them the form to be redone (i.e. a signature is missing or names don’t match on application and TLR 508 for example - Mary Smith Johnson and Mary Johnson Smith or MA Rodriguez-Garcia is on the application and Maria Garcia Rodriguez is on the TLR 508).
- 2) If appropriate in your county, call or return the application package to the payment program and tell them that additional information is required before you can process the application (i.e. name of worker, child care program).
- 3) Contact TrustLine at 1-800-822-8490 for assistance.

### **Did you answer “YES” to all of these questions?**

If you answered “YES” to every question....

1) The TrustLine Application/Live Scan Form (TLR 1) and the TLR 9163 Live Scan form, if used for fingerprinting, and the Criminal Record Statement form (TLR 508) should be sent by the Child Care Resource and Referral (R&R) Program to the California Department of Social Services. *If the Live Scan information (proof of the applicant submitting prints) has been completed at the bottom of the TLR 1 form in Box 16, the TLR 9163 form is not necessary. If, however, the law enforcement office completed the TLR 9163 form instead of completing the Live Scan section at the bottom of the TLR 1 form, the TLR 9163 Live Scan form must be sent along with the TLR 1 and TLR 508 to CDSS in Sacramento.*

2) The R&R program should notify the payment program that a completed application was received.

**CCDBG and Background Check Requirements  
Overview and Comments  
Public Input Session/February 13, 2015**

<b>CCDBG Requirement</b>	<b>Current CA Background Check for Licensed Child Care Providers &amp; TrustLine</b>	<b>New Requirement?</b>	<b>Updated not less often than once during each 5 year period</b>
Search of State <b>Criminal Registry/Repository</b> where child care <b>staff member resides</b>	Yes – checked by fingerprints	No	Yes – continually updated
Search of State <b>Sex Offender Registry</b> where child care <b>staff member resides</b>	Does not specifically check the Sex Offender Registry of CA but individuals on the Sex Offender Registry would be contained in CA Criminal History System (Criminal Registry)	Technically Yes but the data would be captured in our state fingerprint check of the CHS at DOJ	Yes – the CHS continually provides rap backs to Community Care Licensing
Search of <b>State Criminal Registry/Repository</b> where child care <b>staff member resided during preceding 5 years</b>	No	Yes State legislation may be needed.	Would need to be built into the process.
Search of <b>State Sex Offender Registry</b> where child care <b>staff member resided during preceding 5 years</b>	No	Yes State legislation may be needed.	Would need to be built into the process.
Search of <b>State-based child abuse and neglect registry</b> where child care <b>staff resides</b>	Yes – checked by name	No	Yes – continually updated
Search of <b>State-based child abuse and neglect registry</b> where child care <b>staff resided during preceding 5 years</b>	No	Yes State legislation may be needed.	Would need to be built into the process
Search of <b>National Crime Information Center (NCIC)</b>	No	Yes State legislation may be needed.	Would need to be built into the process
<b>A FBI Fingerprint Check</b> using Integrated Automated Fingerprint Information System (IAFIS)	Yes – checked by fingerprints	No	No –The FBI has not offered a rap back service in the past. FBI will be offering this service soon. States will need to opt in to the service and there may be a cost.
Search of the <b>National Sex Offender Registry</b>	No	Yes State legislation may be needed.	This database is available to the public at no cost and can be checked at any time.

Items in **red** are new requirements.

## Comments on the CCDBG Background Check Requirements

1. **State Legislation** - It is our understanding that to require child care licensees, staff in licensed child care facilities, and TrustLine applicants to undergo the NCIA, NA Sex Offender Registry, and out-of-state background checks legislation would need to be signed into law in California. Regulations may also have to be adopted.
2. **Increased Staffing and Costs** – In addition to the two new national checks and an unknown number of background checks requested of other states, CCDBG legislation requires the background check to be completed in 45 days.
  - a. We know the National Sex Offender Registry can be checked free of charge as it's a national website available to the public. However, it is unclear what the process is and the cost to check the NCIC.
  - b. It is our understanding that the other states will be charging California fees for checking their databases. And, there will be three databases per state that will need to be checked.
  - c. Additional staff time will be required to check the two new databases, the National Sex Offender Registry and the NCIC. As it is our understanding that both of these databases are checked by the individual's name, not unique identifiers such as fingerprints or driver's license numbers, the amount of staff time spent on these checks can be extensive. For example, I checked on the name John Smith on the National Sex Offender Registry and 348 names came up. The next task would then be to look at each individual and determine if the individual was or was not the John Smith that just submitted an application to provide child care. Additionally, it is our understanding that at least some if not all of the data from other states will also be based on individuals' names versus unique identifiers. Either more staff must be available to work on these background checks which will increase the cost of the background check or the time it takes to complete the background checks may exceed the 45 day limit.
  - d. With additional databases included in the background check, there will likely be additional criminal history information uncovered for applications that will need to be processed by staff. With additional criminal history information identified, the number of exemption and appeal processes conducted will increase as well which means additional staff time and costs.
  - e. The CCDBG legislation requires the background check to be conducted on each individual "not less often than once during each 5 year period following the first submission date." The California Criminal History Check and CACI are continually updated. It is our understanding that the FBI will soon offer a continually updated service at a fee and the state will need to opt in to the service. As for checking the NCIC and the National Sex Offender Registry every five years this will require staff time and will be at a cost. As for checking the three databases in the states where the individual resided in the last five years, for current licensees, child care staff and individuals registered on TrustLine, unless they are grandfathered-in in some way, will be a costly and time consuming process. For example, individuals already registered on TrustLine would not be required to go through the additional background checks unless they began caring for a child being funded through the CCDBG. In addition, each individual will have to be tracked and every five years all the background checks that are not continually updated will need to be

conducted, including determining if the individual resided out-of-state at any point during those five years. This will be a costly and time consuming process.

### **3. New Procedures and Forms**

- a. Currently DOJ communicates with the FBI for the IAFIS check. Will DOJ communicate with the FBI for the NCIC check or will it be CDSS?
- b. New licensing and TrustLine forms will need to be created that will minimally need to include references to all the new databases that will be checked as well as a place for individuals to list the states in which they resided for the preceding five years.
- c. To conduct the check of required databases every five years, each individual must be tracked and a subsequent background check must be triggered.

### **4. Other Issues to Consider**

- a. Could there be a two-tiered background check in California? Tier one is the current background check and tier two is the background check required by the CCDBG. This would be easier to implement for the TrustLine background check versus the background check related to licensees and child care staff. This option may be a strategy to use to comply with the CCDBG rules initially and it could be used to phase in this new requirement over time.
- b. What is the definition of “the background check must be completed in 45 days?” What comprises the background check? Do we meet our 45 day deadline as long as those individuals with nothing in their background are cleared to work or are registered on TrustLine within 45 days. Is it acceptable that the final disposition of the background check for those individuals with something in their background, even if it is minor, takes longer than 45 days, as long as other processes i.e. the exemption or appeal process was started in the 45 day window?
- c. Some of these checks seem duplicative. For example, the National Sex Offender Public Website links public state, territorial, and tribal sex offender registries from one national search site. Theoretically, all the state sex offender registries would be included in this website so why should they be checked separately. And, according to information on the U.S. Department of Justice website, the NCIC includes the National Sex Offender Registry. California could work with other states and the Administration for Children and Families to carefully review the legislation and amend it to reduce redundancy, workload and costs.
- d. California could consider working with other states and the Administration for Children and Families to encourage the federal government to create a database that links public, state, territorial and Tribal criminal history and child abuse registry data similar to what they do for sex offender registry data. This database would likely be checked by name but if there was only one database to check instead of multiple state databases and two national databases, NCIC and IAFIS, it would be an improvement.
- e. For individuals that self-report that they resided in another state or states within the last 5 years, the State of California will need to wait for the other states to provide their information. Once the information is received, then CDSS staff must process that information. If other states are not timely in providing this information, the 45 day time limit may be exceeded.

### **New Background Check Requirements - Definitions**

1. National Crime Information Center (NCIC)– An electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, 24 hours a day, 365 days a year. The NCIC database currently consists of 21 files. There are seven property files containing records of stolen articles, boats, guns, license plates, parts, securities, and vehicles. There are 14 person files including: Supervised Release; National Sex Offender Registry; Foreign Fugitive; Immigration Violator; Missing Person; Protection Order; Unidentified Person; U.S. Secret Service Protective; Gang; Known or Appropriately Suspected Terrorist; Wanted Person; Identify Theft; Violent Person; National Instant Criminal Background Check System Denied Transaction.
2. National Sex Offender Registry or National Sex Offender Public Website (NSOPW) is the only U.S. government website that links public state, territorial, and tribal sex offender registries from one national search site. NSOPW presents the most up-to-date information as provided by each Jurisdiction. Information is hosted by each Jurisdiction, not by NSOPW or the federal government. The search criteria available for searches are limited to what each individual Jurisdiction may provide. Search results should be verified by visiting the providing Jurisdiction's Public Registry site for further information and/or guidance.

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