



Suitability to Interact with Minors

Additional Guidance Webinar - May 2023

Frequently Asked Questions

Q: What reason code should I choose when setting up my FieldPrint account?

A: The reason code must be either: VCVI (for a volunteer) or VCEI (for a paid employee or contractor)

Both codes include the DHS Caregiver results, which is required.

Q: What if we believe our agency does not fall under this special condition?

A: Please submit a request in writing to your grant manager detailing why this condition does not apply and safeguards in place to ensure there is not unaccompanied interaction (in-person, over the phone, or in writing).

Q: Can the fingerprint background checks be charged to the grant?

A: Yes. These expenses can be billed to the grant in the “Other” category. Please submit a budget modification to add a budget line item, however, no additional funds are available to cover these expenses.

Q: Does this only apply to new staff/volunteers?

A: No. All applicable parties must have fingerprint-based background checks completed by September 30, 2023, to be in compliance with the grant condition.

Q: Should we require it for new hires starting now or not until September 30, 2023?

A: This is up to your agency. A fingerprint-based background check, along with registry checks and determination, must be on file for all staff, volunteers, and contractors by 9/30/2023. If you choose to complete a Caregiver background check for new hires prior to 9/30, the agency will have to conduct an additional fingerprint-based check (and accrue additional costs) prior to the deadline.

Q: If staff had a fingerprint background check when they worked for another employer, do they need to do another one? What if it was done in another state?

A: If the other fingerprint-based background check was conducted under the VCA authority and the date the background check was completed fits within the grant rules, then the



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subject would not necessarily be required to have fingerprints recollected. FBI CHRI results could be shared between similar agencies so long as the purpose for sharing that information is under the same VCA authority, the agencies have a signed MOU in place, and the sharing of FBI CHRI between agencies is logged.

Q: Do we have to have physical fingerprint cards done? Or is electronic fine?

A: Below are two options for completing fingerprint-based background checks.

Collection via Fieldprint

- i. Account setup with Fieldprint representative
- ii. Electronic collection and routing completed via authorized Fieldprint location

Collection via fingerprint card

- i. Collection may be done at local law enforcement department
- ii. Setup directly with law enforcement
- iii. Physical print card mailed to CIB by subrecipient agency

Q: What is the approximate cost for fingerprinting?

A: Cost per fingerprint-based background check (includes Caregiver Background Check):

- Paid staff and contractors: \$31.25 per search
- Unpaid staff and volunteers: \$29.25 per search
- Cost to utilize Fieldprint (fingerprinting collection and processing): \$7.75 per search

Q: How does this condition define a minor?

A: "'Participating minor.'" All individuals under 18 years of age within the set of individuals described in the scope section of this condition as it appears on the award document are participating minors." <https://www.ojp.gov/funding/explore/interact-minors>

Q: Is fingerprinting required for volunteers? Board members? Match staff? What about if we're a part of a larger organization, does everyone need to have one done?

A: This condition applies to all staff, volunteers, and contractors that are part of the federally funded project and will interact with unaccompanied minors.



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Q: Would all volunteers need to have this done?

A: Only those working on the federally funded project (volunteer time used as in-kind match).

Q: What if staff or volunteers refuse to have fingerprint background checks done?

A: Satisfaction of this condition is required for federally funded projects. If a staff or volunteer refuses any portion of the condition, they would not be eligible to work on or be match for the VOCA or VAWA funded project.

Q: Is local law enforcement required to help with fingerprint background checks?

A: No. CIB recommends connecting with your local law enforcement department to begin discussions and potential MOUs.

Q: How does the following apply to this requirement?

"If the court-appointed special advocate program determines that any information obtained as a result of the background investigation provides a reasonable basis for further investigation, the court-appointed special advocate program may require the applicant to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the applicant's fingerprints, or by other technologies approved by law enforcement agencies."

A: OCVS received additional guidance from OJP and OVW: Based on the language of the statute provided, the statute does not legally *prohibit* programs from requiring fingerprints. Therefore, the programs would not be exempt from following the Federal condition requirements contained within the suitability to interact with minors special condition.

Q: Example: Staff are dually employed directly through an agency and through AmeriCorps. AmeriCorps requires fingerprint background checks. Will the agency need to re-fingerprint those staff or could they obtain the verification that the check is complete?

A: If the AmeriCorps fingerprint-based background checks are conducted under the VCA authority and the date the background check was completed fits within the grant rules, then the subject would not necessarily be required to have fingerprints recollected. FBI CHRI results could be shared between similar agencies so long as the purpose for sharing that



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information is under the same VCA authority, the agencies have a signed MOU in place, and the sharing of FBI CHRI between agencies is logged.

Q: Should agencies print and keep the entire fingerprint background on file?

A: No, CIB recommends agencies do not print the fingerprint-based background check results. Results are viewable in WORCS for 6 months. To satisfy the special condition, please print or save a confirmation from WORCS indicating that the background check was completed.

Q: Could staff and/or volunteers work on the VOCA/VAWA funded project while waiting for the results?

A: No, the full determination must be completed before staff are eligible to work on the federally funded project.

Q: Are the fingerprints run through a database of some sort as an additional background check or are they kept "on file" in case a crime is committed?

A: Wisconsin does not retain applicant fingerprints processed for non-criminal justice purposes.

Q: How should agencies handle this requirement for staff and/or volunteers that may be minors themselves?

A: The condition does not have an exception for minor staff or volunteers and therefore, the same procedures must be followed for determining suitability to work with minors.

Q: What if my agency does not enforce fingerprinting? For example, a county government.

A: Suitability to Interact with Minors is a federal special condition and required to receive VOCA and VAWA funding. OCVS does not have the ability to waive this requirement.



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Q: What if staff resided in a different state in the last five years? Will fingerprint background checks be required from the other state as well?

A: No. The fingerprint-based background check done in Wisconsin will pull information on every arrest that the FBI has on record for an individual whose fingerprints were properly collected and submitted related to that arrest. **Name-based** background checks are still required for any additional state that the employee has resided in within the last five years to ensure the agency is aware of any arrests in which fingerprints were collected or submitted improperly.

Q: What resources are available for states other than Wisconsin?

A: Please contact the respective FBI-designated State Identification Bureau for more information.

State Identification Bureau Listing — FBI | <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks/state-identification-bureau-listing>

Q: What documentation is needed to show CIB which staff/volunteers do and don't fall under the requirement?

A: The agency is responsible for tracking which staff/volunteers fall under the special condition requirement.

Q: Do we have to do this and the caregiver background check? Are they separate?

A: The Caregiver background check is included in the fingerprint-based background check so only the fingerprint-based background check must be completed.

Q: Will we be able to report the impact this will have on programs (ie. not being able to hire staff and limiting services to victims due to staffing limitations) to be shared with the federal government?

A: Yes, please report this information in OVC PMT and your program reports. OCVS will ensure the information is shared with federal grant administrators.



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Q: What about all the clients that we work with?

A: This does not apply to clients.

Q: After this goes into effect, will every staff member and volunteer be required to be rechecked with the fingerprint-based background check, even if they were checked before?

A: Yes, all staff and volunteers must have a completed fingerprint-based background check by 9/30/23, along with a written determination on file.

Q: I had my fingerprints run to get a Global Entry ID last year. Could that satisfy anything in this process?

A: No. A new set of fingerprints must be collected and submitted under the statute authority that allows the authorized recipient to obtain the FBI criminal history record information (CHRI). While fingerprints for purposes such as Global Entry ID may be retained at the federal level, they cannot be used for searching under the Volunteers for Children Act (VCA). FBI CHRI results could be shared between similar agencies so long as the purpose for sharing that information is under the same VCA authority, the agencies have a signed MOU in place, and the sharing of FBI CHRI between agencies is logged.

Q: If we are co-located (e.g., another agency leases space from us) but is not part of our agency-- how should this be handled?

A: This requirement only applies to staff, volunteers, and contractors working on the VOCA/VAWA funded project.

Q: What about employees who are a resident of the United States but not yet a citizen? Does this still apply to them?

A: Yes, it applies to all staff, volunteers, and contractors working under the federally funded project.

Q: Does this apply to our contracts and/or subawards?

A: Yes.



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Q: What is the definition of "authorized personnel"?

A: Authorized personnel is anyone involved with the agency and involved with the hiring/screening process. Unauthorized personnel may be others involved with the agency such as maintenance workers, etc.

Q: Is a new set of fingerprints needed every five years or could you use previously submitted fingerprint cards?

A: Yes, a new set is needed every five years.

Q: Would the fingerprint background checks eliminate the need to do out of state background checks?

A: No, since it is possible for errors to occur during the collection or submission of fingerprints related to an arrest, name-based background checks are still required for each state that an employee has lived in during the last five years.

Q: If we hold a fundraising event for the agency, do the volunteers at the event all need to have the fingerprint background check?

A: Fundraising is not allowed under the VOCA or VAWA project.

Q: Is it allowable to do a budget modification to realign the staff working on the project?

A: Please connect with your grant manager about potential modifications.

Q: The police department we are working with requested that we provide the actual cards for fingerprinting. How do we obtain them and is there a cost?

A: Email your request to cibrecordcheck@doj.state.wi.us. We advise requesting a sufficient number of fingerprint cards, so your agency has some stock on hand in the event a subject requires more than one fingerprint collection attempt. An additional attempt may be required if the fingerprint quality is degraded, and the FBI rejects for quality.