

Appendix H.1: Interview Guide NSOR

U.S. Department of Health and Human Service (DHHS) Administration for Children and Families (ACF)
Office of Planning, Research, and Evaluation (OPRE)

Child Care Interstate Background Checks (CC-IBaCs) Environmental Scan

Interview Guide for National Sex Offender Registry (NSOR) Custodian

Thank you for agreeing to participate in this interview today. My name is _____. I work for CNA, a research organization based in Arlington, VA. We are working with the U.S. Department of Health and Human Services, Office of Child Care and Office of Planning, Research, and Evaluation to find ways to improve the implementation of the interstate background checks on child care workers that are required under the Child Care and Development Block Grant (CCDBG) Act of 2014. For this study, we are interviewing a wide range of key people involved in the background check process. ACF will use the data collected through the interviews to support the development of promising solutions to strengthen nationwide implementation of child care background checks as mandated by the CCDBG Act and provide states and territories with additional technical assistance to facilitate implementation. Please note that the sole purpose of this study is to gather data to inform how ACF can better support state and territory agencies.

Before we get started, there are a few things I should mention. This is a research project, and your participation is voluntary. We expect that the interview will take about 30 minutes. We will summarize your information and use it to produce a final report that will be used for internal planning at the Office of Child Care, but we will not identify or quote any of the specific people interviewed for the report. We aim to summarize findings so that comments cannot be attributed to any specific person.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB number for this information collection is 0970-0356 and the expiration date is 06/30/2021.

Do you have any questions before we start?

With your permission, we would like to record the interview. The recording will be used to help us ensure our notetaking is accurate. The recordings will be accessible only to the project team at CNA, and will not be shared with the Office of Child Care. We will destroy the recordings after the study is complete. Are you okay with us recording our interview today?

- 1) What is your role with the NSOR?

- 2) I'm interested in finding out what you know about the child care background check requirements. Have you or your agency had any discussions or exchanged information about the

requirement to screen child care workers against the NCIC NSOR, as well as state sex offender registries? If so, please describe it.

PROBES: What groups were involved in the discussions or information exchange?
 What was the outcome?
 About how long ago was this?

Because the NCIC NSOR is limited to law enforcement use, and it is comprised of data submitted by the State SORs, I want to find out about the process, challenges and, potential solutions related to searching NSOR and how an NSOR search differs from interstate SOR record checks.

THE PROCESS FOR RECEIVING AND RESPONDING TO NSOR REQUESTS

3) What are the conditions under which NSOR searches can be performed for non-criminal justice purposes?

PROBE: For example, using the “protect the public” clause.

4) How do you receive requests from state requestors?

PROBES: Do you process requests online?
 ... by phone or fax?
 ... email or regular mail?

If a state requestor has more than one individual he or she needs screened against NSOR, can he/she request multiple searches in one request or must each request be made individually?

Are requests for a check of the NSOR database generally made in conjunction with requests for an FBI criminal history check?

Is there a fee?

5) Is the NSOR search a name-based search?

PROBES: [If yes] What is the minimal demographic information required for you to complete the search? (For example, name and date of birth.)

 What other information can be used to eliminate multiple possible matches?

Can NSOR be searched using fingerprints?

Can NSOR search results be included in a fingerprint-based response from the III [Triple I]?

- 6) In cases where you're responding to non-criminal justice search requests, what data does the NSOR provide to state agency requesters? In particular, what data does the NSOR provide entities conducting background checks for employment purposes?

PROBES: Are you allowed to provide...

- All available information?
- A portion of available information?
- A red light/green light indicator?
- No information?

If you can only provide a portion of available information, what information is in the partial record?

If you can only provide a red light/green light indicator, what exactly does the red light indicator mean? ... the green light indicator? What factors do you use to assign a red or green light?

Does NSOR provide information if the offense is a misdemeanor? ...if the record is for a juvenile? If the retention period has ended?

Are records removed from your registry based on individual retention limits?

- 7) How are results conveyed to the requestor?

PROBES: Are the results sent electronically to the requestor, or sent via email, or are hardcopy results returned by mail?
Are results attached to the Identity Summary from a criminal history search?
How long does it typically take to complete a request?

- 8) How does the data in the NSOR differ from what is available on the NSOPW?

9) How complete are the records submitted to the NSOR by the states?

PROBES: Does the NSOR receive all sex offender information kept by the states?
[If not] What information is not submitted to NSOR?

CHALLENGES AND SOLUTIONS

10) What are the barriers or limitations to providing data from NSOR to state agencies conducting child care worker background checks? *[Interviewer: For each barrier identified, ask the respondent to describe the issue and how it affects state agency check requests.]*

PROBES: Are there barriers related to...

- Federal law?
- NSOR regulations?
- FBI policy?
- State sex offender registry variations?
- Difficulty with linking automated systems?
- Cost of extra volume?
- Staff time to process?
- Other?

11) What would be required to make NSOR usable for child care worker background checks?

PROBES: Would the things required include...

- Legislative changes?
- Additional resources?
- New automated systems?
- Other?

12) What would you like to see the federal government do to support implementation of NSOR checks for child care employment?

13) Are there any other people from other programs or interested agencies that you think we should interview for this study?