



STATE OF WASHINGTON
DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES
Public Disclosure

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October 26, 2022

Ashley Oberhotzer

Sent via secure email to: Ashley.oberholzyer@evergreen.edu

Subject: Request for Records/ARRTS # 202203-PRR-868

Dear Ashley Oberhotzer,

The Department of Children, Youth, and Families (DCYF) received your request for records on March 22, 2022.

In your request, you asked for:

"From request letter received on 3/22/2022:

Subject: Request for public records - Background Check Policy Waivers

I am writing to request copies of the following public records, pursuant to the Washington Public Records Act, Chapter 42.56 RCW. If no documents exist in response to a particular request, please indicate so in writing. I request that you send responsive documents in electronic format as soon as they become available.

1. All DCYF requests to the Administration for Children and Families (ACS) for background check policy waivers between 2017 and 2022.

2. All ACS decisions about DCYF requests for background check policy waivers between 2017 and 2022.

3. All management level correspondence relating to DCYF requests for background check policy waivers between 2017 and 2022.

If your agency withholds any of the requested documents under one or more of the Act's exemptions, it must cite the relevant exemption and explain how it applies to the withheld records. RCW 42.56.210(3). Further, please note that the Department must conduct a sufficient search for the requested records and the search must be reasonably calculated to uncover all relevant documents. Neighborhood Alliance v. Spokane County, 172 Wn.2d 702, 261 P.3d 119 (2011).

From email received from requester on 4/27/2022:

I hope you are well. I'm aware you still have plenty of time to fulfill my request. I'm only checking in with you because I sent a nearly identical request to DSHS - for the period during which Children's Administration fell under them, before DCYF was formed. They misunderstood the context of my request so I'm reaching out to you to ensure I communicate clearly and we're all searching for the same things.

For context: Group Care New Hires are required to complete fingerprint-base background checks before being allowed to work in Group Homes. There were many occasions between 2016 and 2019 that Childrens Administration, first under DSHS and then under DCYF, conducted in-state background checks and then allowed Group Care New Hires to work in Group Homes before fingerprinting.

OFM documents this practice in their 2019 single audit report. I am asking your office to provide me with documentation that the department asked for and/or received permission for this practice between 2016 and 2019. If

that or similar waiver occurred for any other background check programs under DCYF, I would also be interested in that.

The department received permission to do this, for example, during the COVID-19 pandemic, between 2020 and 2022. That would be a good model for what I'm looking for.

From email received from requester on 9/4/2022:

I have some quantitative follow-up questions about information in this first installment. What is the best way to seek answers? Would you recommend I submit a new public disclosure request? Or is there a more appropriate way to officially ask:

Item 1 How many interim background checks did DCYF pass between February 2020 and July 2022?

- a. How many underwent a suitability assessment due to disqualifying crimes?*
- b. How many subsequently underwent a suitability assessment due to disqualifying crimes in out-of-state CA/N or fingerprint history and still passed?*
- c. How many subsequently did not pass due to out-of-state CA/N or fingerprint history?*

Item 2 How many child placements occurred between February 2020 and July 2022, with adults who had not yet fingerprinted?

- a. Of those, how many cases closed before fingerprints were complete?*

Item 3 How many fingerprints are currently still pending for interim background checks DCYF passed between February 2020 and July 2022?"

These records are being released pursuant to RCW 42.56. Other state and federal laws may apply.

This email's attachment contains 1286 pages of records that were found in response to your request. These records include The attachments to the emails sent in installments one and two. We have released all available records except for parts that are exempt from disclosure under the below laws:

- RCW 13.50.100 - Information contained in juvenile justice or care agency records that are confidential

In response to the email received on September 4, 2022

Item 1 No responsive records for this item

- a. Zero
- b. Zero for disqualifying crimes and we do not have that for Can or finger print history
- c. We do not have that information

Item 2 No responsive records for this item

- a. No responsive records for this item

Item 3 We do not have that information.

This mailing completes the Department of Children, Youth & Families response to your request and your file is considered completed and closed.

If there are additional records that you believe exist, please let us know and we will attempt to locate them.

Oberholtzer, Ashley
10/26/2022
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If you disagree with any denial of records under your request, you may ask for a review under WAC 110-01-0270 by writing to:

Jody Arndt
DCYF Public Disclosure Appeals Officer
PO Box 40992
Olympia, WA 98504-0992

Respectfully,

Glenda Markham | FRA Supervisor
Administrative Services | Public Disclosure
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