



**Department of
Early Education and Care**
THE COMMONWEALTH OF MASSACHUSETTS

EEC Background Record Check Unit

POLICY STATEMENT: When BRC Information is Available to Programs in BRC Navigator for all Group and School Age (GSA) and Funded Programs

DATE: September 10, 2019

EEC BRC UNIT POLICY NUMBER: 19-017

When BRC Information is Available to Programs in BRC Navigator

1. BRC Navigator Submissions – No Preliminary Hiring Status for Program A and Apply to Program B

If a candidate's BRC Navigator status is currently "In Process" and does NOT have Provisional or Conditional status yet (*Most cases where candidate has not been fingerprinted yet*), then the candidate's information will not be available yet in the BRC Navigator. A message is displayed to the user in BRC Program Portal stating, "The candidate is not yet available in BRC Navigator. Please try again later or ask the candidate to notify you when they receive confirmation that they are eligible for hire."

Candidates should be urged to use the fingerprint letter on file from BRC Navigator, even if they are no longer with the program who issued that letter. Otherwise, the candidate's BRC will be stalled in BRC Navigator and will not go through. All BRC Navigator fingerprint results will end up in a central location so the candidate may be fingerprinted under any BRC Navigator Fingerprint Notification Letter that provides an "enrollment ID".

2. BRC Navigator Submissions – Candidates in Provisional Status for Program A and Applying to Program B

A candidate can only be in process for a BRC with one program at a time. If a candidate is in provisional status for Program A, then the candidate cannot be successfully submitted by Program B until the candidate is found suitable for Program A. Program B will receive the following message in BRC Program Portal, "The candidate is not yet available in BRC

Navigator. Please try again later or ask the candidate to notify you when they receive confirmation that they are eligible for hire.”

3. BRC Navigator Submissions – Candidates Previously Found Suitable

Candidates who were previously found suitable by Program A may transfer their suitability to Program B if certain rules apply. See BRC Unit Policy: Transfer of Suitability and Frequency of BRCs.

4. BRC Navigator Submissions – Candidates Previously Found Not Suitable

If a candidate has previously been found not suitable, the candidate cannot be submitted. Instead the Program will receive the following message, “The candidate was found not eligible for employment based on information submitted in a prior BRC. If additional information is required, please call the EEC BRC Unit.”

The EEC BRC Unit can override this not suitable decision if the time has expired for the not suitable determination. In the event this occurs, the BRC Unit would be responsible for entering the BRC request at the request of the program.

The disqualifications leading to a not suitable are as follows:

1. **Mandatory Disqualification:** *Barred for life*
2. **Denied after Review:** *Barred for 5 years*
3. **First time failing to respond to a request by EEC, Providing false or misleading information, Refusing to consent to the BRC process:** *Can re-apply if re-pay all fines and fees (i.e. application fee and fingerprinting fee)*
4. **Second Time Failing to respond to a request by EEC, Providing false or misleading information, Refusing to consent to the BRC process:** *Barred for 3 years*

Expunged Records: If it is determined that an entry has been expunged or erased from a record, then the time frames above do not apply. The BRC Unit will need to re-run the record to confirm an offense has been expunged. Then BRC Unit must enter the candidate through the BRC Program Portal on behalf of the Program so it is not blocked by the prior “not suitable” status.