Fingerprinting and IChat Requirements

Shay Anderson, Clare-Gladwin RESD

Lisa May, Clare-Gladwin RESD

Lisa Krosnicki, Charlevoix-Emmet ISD

Thursday April 19, 2018

Fingerprinting Requirements

On November 30, 2017 Michigan State Police converted to the CHRISS system for receiving fingerprint results.

If a representative from the district attended training and submitted an Agency User Agreement all results are accessible through the CHRISS system.

All fingerprint results completed on or after January 2016 are in the CHRISS system.

Fingerprinting Requirements

- Laws Requiring and/or Authorizing Fingerprints
  - School employment / Adam Walsh Act (AWA) MCL 380.1230a shall as of fingerprint November 30, 2017
  - National Child Protection Act Employment & Child Protection Volunteer

- To request a fingerprint determine:
  - Who is required to have a fingerprint CHRI background check
  - How to request a fingerprint background check
  - Who in the school can have access to CHRI results
  - How the results may be used by the school
  - Any other provision allowed, such as PSA's

Fingerprinting Requirements

- MSP Fingerprint Reason Codes for Schools
  - School Employment (SE) (replaced CPE in CHRISS)
  - School Volunteer (SV) (replaced CPV in CHRISS)
    - Important to make sure volunteers are fingerprinted with correct code

- Preschool Staff/State Child Care Licensed Facility
  - New Child Care Background Check System effective March 28, 2018
  - Current Child Care Licensed Facilities must comply by September 30, 2018

Fingerprinting Requirements

- Fingerprint Audited Documents

MSP Auditor will test and observe	
Supporting documentation	User Agreements
Local Agency Security Officer (LASO)	Personal Security
Media Protection	Controlled area
Incident Response	Secondary Dissemination
Security Awareness Training (SAT)	

Fingerprinting Requirements

- Local Agency Security Officer (LASO)
  - Identify who is accessing CHRI
  - Identify how NCJA is connected to CHRI
  - Ensure Security measures are in place & working
  - Support policy compliance & ensure the reporting of any CHRI incident to MSP Information Security Officer (ISO)
  - Form template on MSP website

Fingerprinting Requirements

•MSP User Agreement RI-087

- Specifies how exchange of CHRI is to be conducted
- Outlines individual roles & responsibilities
- Require authorized signatures of agency representative
- Approval by MSP CJIS Security Officer
- For form must contact MSP Forms Manager at 517-284-3353

Clare-Gladwin RESD Audit

- **Audit Timeline**
  - LASO contacted via email on 10/10/2017
    - Content of email
      - Audit Date November 15, 2017
      - Agency username and temporary password
      - Request to complete NCJA School Audit Review and Technical Security Questionnaire
      - Timeline for completion and submission due 11/08/2017

Clare-Gladwin RESD Audit

- ## Audit Preparation
  - Access the CJIS Audit portal
  - https://www.cjisportal.com/MI/cjisaudit/index.pl
  - Remember Agency Login information is provided in initial email

Clare-Gladwin RESD Audit

- All NCJAs required to complete the <u>NCJA School Audit Review</u> questionnaire
  - Questionnaire is completed in portal
    - Major Sections

Introduction	Media Protection
Supporting Documentation	Incident Response
User Agreement and Local Agency Security Officer Appointment	Secondary Dissemination
Personnel Security	Security Awareness Training (SAT)
Physical Protection	Conclusion

Fingerprinting Requirements

- ## Security Awareness Training (SAT)
  - Required for all personnel who have access to CHRI within 6 months of hire or assignment
  - Required every two years after initial training
  - Training Powerpoint available on MSP website

Fingerprinting Requirements

- ## Media Protection
  - District shall establish Policies/Procedures for:
    - Digital AND Physical media protection policy
    - Restricting access to authorized user/personnel
    - Transporting CHRI from original source to another
    - Disposal and sanitization of CHRI media
  - District shall establish policies & written procedures for:
    - Security
    - Handling
    - Transporting
    - Storing

Fingerprinting Requirements

- Physical Protection
  - District shall establish Policies/Procedures for:
    - Limited access in controlled area during CHRI processing times
    - Room/storage area should be locked at all times, when not in use
    - Prevent unauthorized individuals from access/view
    - Abide & follow requirements for digital storage (FIPS 140-2)

Fingerprinting Requirements

- Digital Storage
    - If district decides to store digital (in-lieu of paper copy) there are a set of regulations that must be documented and followed
    - If mobile devices (phone, tablet) are used to view information, additional regulations are required

    - Alternatives:
        - Store on External Hard drive & store in secured/locked space/cabinet
        - Store paper copies in secured/locked space/cabinet

Clare-Gladwin RESD Audit

- <u>Technical Security Questionnaire</u> is required if the agency maintains CHRI digitally
  - Clare-Gladwin RESD does not maintain CHRI digitally
  - Technology Director was notified of the audit date and was on-site
  - If your district maintains CHRI digitally, your technology staff will be crucial during the completion of the questionnaire

Clare-Gladwin RESD Audit

- Multiple users can be assigned access to questionnaires in the audit portal.

- Be aware of the documentation required to be uploaded in the portal.

- When the questionnaires are completed, the questionnaires are automatically submitted to the MSP auditor.

Fingerprinting Requirements

- Required Supporting Documentation for Each Fingerprint
  - Position documentation for the fingerprint reason code used (see examples)
  - Indicate the fingerprints are obtained for specific purpose authorized by State of Federal law
    - Individualized
    - Name and position are listed
    - Documentation as part of hiring process
      - New hire checklist
      - Employment contracts
      - Procedures

Fingerprinting Requirements

- Required Supporting Documentation for Fingerprinting
  - RI-088a Michigan Waiver Agreement and Statement for Schools
    - Fingerprinting consent
      - Must be signed and dated on or before date of fingerprinting
      - Must be given and collected PRIOR to fingerprinting
    - This form is emailed to District from MSP once registered in CHRISS system

Fingerprinting Requirements

- Required Supporting Documentation for Fingerprinting
  - RI-030 Livescan Fingerprint Background Check Request
    - Fingerprinting consent
      - Must be signed and dated on or before date of fingerprinting
      - Must be given PRIOR to fingerprinting
    - Current version for authorized users must contact MSP
      msp-crd-applhelp@michigan.gov or 517-241-0606

Clare-Gladwin RESD Audit

- **Preparing for the on-site visit**
  - Fingerprint Sample was attached to the email
    - Livescan RI-030
    - Michigan Waiver Agreement & Statement RI-088a (Prints taken after CHRISS)
    - Formal Position Documentation (Prints taken before CHRISS)
    - Fingerprint Authorization (Internal Document)

Clare-Gladwin RESD Audit

- Security Awareness Training certificates (LASO must maintain records)
- Workstation Inspection (CHRISS access)
- Physical Storage Area
- Additional supporting documentation (based on our district's audit)
- Auditor reviewed all finding prior to leaving the district

Clare-Gladwin RESD Audit

- **Compliance Report**
  - LASO notified via email December 1, 2017
  - Compliance report identifies all noncompliance issues
  - Notification requests a response which is your corrective actions January 18, 2018
  - Response submitted through the Audit Portal
  - Final Letter of Compliance available through the Audit Portal January 22, 2018

Clare-Gladwin RESD Audit

- **Corrective Action**
    - Workstation Security
    - Incident Response Procedure
    - Appeal Process

Clare-Gladwin RESD Audit

- **Errors**
  - If you have an error on a CHRI response
    - Contact the help desk at the Michigan State Police (517) 241-0606 or email MSP-CRD-APPLHELP@michigan.gov
    - All requests should be made within a few days of receiving the fingerprint response. Error corrections to the Agency ID or Reason code (SE vs SV) will be update in the CHRISS system Appeal Process

Clare-Gladwin RESD Audit

- **Errors**
  - Corrections to <u>names</u> & <u>birthdates</u> will <u>not</u> be updated in CHRISS
    - Call or email MSP when errors are detected
    - MSP will update errors in the MSP database
    - In the future, name and birthdate corrections may be pulled into CHRISS
      - MSP has no estimated timeframe for this CHRISS capability

Clare-Gladwin RESD Audit

Secondary Dissemination Logs

Continue to maintain your dissemination log.

Information in the CHRISS system does not satisfy the reporting requirements.

This will be an audit finding if your log is not maintained.

Clare-Gladwin RESD Audit

Termination Process

- The LASO is the only person that has the authority to unsubscribe to a CHRI.
- The LASO should unsubscribe to CHRI for those people who have terminated as least once a year (end of year process).
- Be aware that once the LASO has unsubscribed to a CHRI your district no longer has access to <u>share</u> the CHRI.
- The unsubscribed CHRI will still be visible for reporting/audit purposes.

Fingerprinting Requirements

Child Care Background Check System

- LARA will be contacting all licensed facilities when the new fingerprinting requirements are authorized
- SE prints will no longer be accepted for employees working in a licensed child care facility
- All currently licensed facilities will have until September 30, 2018 to comply with the new regulations
- LARA will be the authorized agency to hold all the fingerprints for licensed child care facilities
- CCBC Hotline: 844-765-2247

Fingerprinting Requirements

- **District Applicant Appeal Process**
  - Process to challenge, correct, or update criminal history
  - Livescan RI-030 appeal language
  - District written appeal process
  - Districts may share CHRI with applicant for purpose of appeal
  - Template available on MSP website

Fingerprinting Requirements

- **Background Checks for Volunteers**
    - When a district has a volunteer in a capacity where they may be alone with students, the district may ask for a fingerprint background check prior to volunteering
    - The volunteer completes and provides:
        - District Volunteer Form
        - Form RI-030
            - Reason Code SV is used for fingerprinting
        - Form RI-088a
        - Copy of driver's license

Fingerprinting and iChat Requirements

- Background checks for Volunteers
    - In a case where the volunteer will not be alone with students, a District **may** do an IChat in-lieu fingerprints

    - The volunteer completes or provides:
        - District Volunteer Form
            - Not required but strongly recommended by the Federal Bureau of Investigation
        - Copy of driver's license

Fingerprinting Requirements

- **Personnel Security for Access to CHRI**
  - Denied access if convicted of felony
  - Review & determine access allowable if record other than felony exists
  - Discontinued for subsequent arrests or convictions
  - Restrictions for contractors and/or vendors where CHRI is stored

Fingerprinting Requirements

- Personnel Security for Access to CHRI
  - Authorized users shall maintain & follow written procedures for:
    - Removal of access due to employment termination
    - Review of CHRI access authorization due to reassignment/transfer of positions
    - Sanctions for failing to comply with established security policies & procedures
    - NCJA Policy template form on MSP website

IChat Requirements

- ICHAT Acceptable Use
  - Volunteers not alone with students
  - 3rd Party Contractors not alone with student, but temporarily working on school grounds (i.e. building contractors)
  - Chaperones for single-day field trips/events
  - When shared prints are received from another district, use IChat to substantiate fingerprints

IChat Requirements

- ICHAT
  - Do **Not** need consent
  - Do need substantial reason to process
  - Should have policy indicating processing is practice
  - Information from ICHAT is only good for day it is processed

IChat Requirements

- All <u>agencies</u> will need to register for new ICHAT access, if district is requesting the MSP waive fees

- https://apps.michigan.gov/

- In March, the processing time for new ICHAT access was 2 weeks

Fingerprinting and IChat Requirements

- ## Acronym Checklist

CHRI	=	Criminal History Record Information
CHRISS	=	Criminal History Record Internet Subscription Service
CJIS	=	Criminal Justice Information System
ICHAT	=	Internet Criminal History Access Tool
ISO	=	Information Security Officer
LASO	=	Local Agency Security Officer
MSP	=	Michigan State Police
NCJA	=	Noncriminal Justice Agency
SAT	=	Security Awareness Training
SE	=	School Employment
SV	=	School Volunteer

Fingerprinting and IChat Requirements

- Resource Website

  Michigan State Police Website Most Current Guidance, Forms, Templates
  www.michigan.gov/cjicats (updated often)

  MDE Criminal History Checks & Conviction website
  http://www.michigan.gov/mde/0,4615,7-140-5683_39798---,00.html

  ICHAT
  https://apps.michigan.gov/