

Office of Early Childhood

Ineligibility for Child Care Purposes

In accordance with BESE Bulletin 137 §1805, an applicant may be found ineligible for child care purposes if the person:

- Refuses to consent to a CCCBC-based determination of eligibility for child care purposes;
- Knowingly makes a materially false or incomplete statement in connection with the CCCBC-based determination of eligibility for child care purposes;
- Has been convicted of or pled guilty or *nolo contendere* to any of the crimes listed in R.S. 15:587.1(C), or those of a jurisdiction other than Louisiana which would constitute a crime under the provisions cited in R.S. 15:587.1(C); or
- Is a registered or required to be registered on the Louisiana Sex Offender and Child Predator Registry, any other state Sex Offender Registry, or the National Sex Offender Registry.

A person shall also be ineligible for child care purposes if upon the Department's written request to DCFS for information as to whether a person's name is on the Child Abuse and Neglect Registry within DCFS, the Department receives written notice from DCFS that the person's name is recorded on the Child Abuse and Neglect Registry as a perpetrator for a justified finding of child abuse and/or neglect as outlined by DCFS.

- Until the required written notice is received from DCFS indicating that a person's name is recorded on the Child Abuse and Neglect Registry as a perpetrator for a justified finding of child abuse and/or neglect, the Department shall not withhold a determination that a person is eligible for child care purposes, unless the results of some other component of the CCCBC require a determination of ineligibility.
- A person may also be ineligible for child care purposes if upon the Department's request for information from another state's equivalent of DCFS, the department receives written notice from the state stating the person's name is recorded on that state's registry or repository of child abuse and/or neglect as having a finding of child abuse and/or neglect or written notice that the person is ineligible for child care purposes.

Prohibited Criminal Offenses

Louisiana Law provides that a person who has been convicted of any of the following crimes or convictions for attempt or conspiracy to commit any of those offenses:

- Shall not be hired by an Early Learning Center as a volunteer, staff member, employee, or independent contractor of any kind. [La. R.S. 14:407.42(A)]
- Shall not be a registered family care or in-home child care provider, be employed in the residence or on the property of the residence where the care is being provided by the registered family care/in-home child care provider, or live in the residence where care is provided by the registered family care provider. [La. R.S. 14:407.71(A)(1)]
- Shall not be a registered family care/in-home provider, be an adult employed in the home or on the property of the home where care is provided by the registered family care/in-home child care provider or be any adult living in the home where care is provided by the registered family care/in-home provider who is not the caregiver. For the purposes of this paragraph, the term “caregiver” shall mean any person legally obligated to provide or secure care for a child, including a parent, legal custodian, foster home parent, or other person providing a residence for the child. [La. R.S. 17:407.71(A)(2)]

The below list is current through August 28, 2025. Laws are subject to change at any time. For the most recent, up-to-date information, please see <http://www.legis.la.gov/Legis/LawSearch.aspx>.

La R.S. 15:587.1(C)

R.S. 14:30	First Degree Murder
R.S. 14:30.1	Second Degree Murder
R.S. 14:31	Manslaughter
R.S. 14:32.6	First Degree Feticide
R.S. 14:32.7	Second Degree Feticide
R.S. 14:32.8	Third Degree Feticide
R.S. 14:42	First Degree Rape
R.S. 14:42.1	Second Degree Rape
R.S. 14:43	Third Degree Rape
R.S. 14:43.1	Sexual Battery
R.S. 14:43.1.1	Sexual Battery (Misdemeanor)
R.S. 14:43.3	Second Degree Sexual Battery
R.S. 14:43.3	Oral Sexual Battery
R.S. 14:43.4	Female Genital Mutilation
R.S. 14:43.5	Intentional Exposure to AIDS
R.S. 14:43.6	Administration of MPA to Sex Offenders
R.S. 14:44	Aggravated Kidnapping
R.S. 14:44.1	Second Degree Kidnapping
R.S. 14:44.2	Aggravated Kidnapping of a Child

R.S. 14:45	Simple Kidnapping
R.S. 14:46.1	False Imprisonment - Offender Armed with Dangerous Weapon
R.S. 14:46.4	Re-Homing of a Child
R.S. 14:74	Criminal Neglect of Family ¹
R.S. 14:78	Repealed ²
R.S. 14:78.1	Repealed ³
R.S. 14:79.1	Criminal Abandonment
R.S. 14:80	Carnal Knowledge of a Juvenile (Felony)
R.S. 14:80.1	Carnal Knowledge of a Juvenile (Misdemeanor)
R.S. 14:81	Indecent Behavior with Juveniles
R.S. 14:81.1	Pornography Involving Juveniles
R.S. 14:81.1.1	Sexting
R.S. 14:81.2	Molestation of a Juvenile ⁴
R.S. 14:81.3	Computer Aided Solicitation of a Minor

¹ Not paying Child Support – Not used for Child Care Purposes

² Now Categorized as R.S. 14:89 - Crimes Against Nature

³ Now Categorized as R.S. 14:89 - Crimes Against Nature

⁴ Or a Person with Physical or Mental Disability

R.S. 14:81.4 Prohibited Sexual Conduct between Educator and Student
R.S. 14:81.5 Unlawful Possession of a Video Tape of Protected Persons ⁵
R.S. 14:82 Prostitution
R.S. 14:82.1 Prostitution⁶
R.S. 14:82.2 Purchase of Commercial Sexual Activity
R.S. 14:83 Soliciting for Prostitutes
R.S. 14:83.3 Inciting Prostitution
R.S. 14:83.4 Massage
R.S. 14:84 Pandering
R.S. 14:85 Letting Premises for Prostitution
R.S. 14:85.1 Repealed
R.S. 14:86 Enticing Persons into Prostitution
R.S. 14:89 Crime Against Nature
R.S. 14:89.1 Aggravated Crime Against Nature
R.S. 14:89.2 Crime Against Nature by Solicitation
R.S. 14:92 Contributing to the Delinquency of Juveniles
R.S. 14:93 Cruelty to Juveniles
R.S. 14:93.2.1 Child Desertion
R.S. 14:93.3 Cruelty to Persons with Infirmities
R.S. 14:106 Obscenity
R.S. 14:282 Operation of Places of Prostitution
R.S. 14:283 Video Voyeurism
R.S. 14:283.1 Voyeurism⁷
R.S. 14:286 Sale of Minor Children

Crimes of Violence as Defined in La R.S. 14:2B

R.S. 14:28.1 Solicitation for Murder
R.S. 14:30 First Degree Murder
R.S. 14:30.1 Second Degree Murder
R.S. 14:31 Manslaughter
R.S. 14:34 Aggravated Battery
R.S. 14:34.1 Second Degree Battery
R.S. 14:37 Aggravated Assault
R.S. 14:37.1 Assault by Drive-By Shooting

R.S. 14:38.1 Mingling Harmful Substances
R.S. 14:42 Aggravated or First Degree Rape
R.S. 14:42.1 Forcible or Second Degree Rape
R.S. 14:43 Simple or Third Degree Rape
R.S. 14:43.1 Sexual Battery
R.S. 14:43.2 Second Degree Sexual Battery
R.S. 14:43.5 Intentional Exposure to AIDS
R.S. 14:44 Aggravated Kidnapping
R.S. 14:44.1 Second Degree Kidnapping
R.S. 14:45 Simple Kidnapping
R.S. 14:51 Aggravated Arson
R.S. 14:55 Aggravated Criminal Damage to Property
R.S. 14:60 Aggravated Burglary
R.S. 14:64 Armed Robbery
R.S. 14:64.1 First Degree Robbery
R.S. 14:65 Simple Robbery
R.S. 14:65.1 Purse Snatching
R.S. 14:66 Extortion
R.S. 14:89.1 Aggravated Crime Against Nature
R.S. 14:64.2 Carjacking
R.S. 14:94 Illegal Use of Weapons/Dangerous Instrumentality
R.S. 14:128.1 Terrorism
R.S. 14:34.7 Aggravated Second Degree Battery
R.S. 14:37.2 Aggravated Assault upon a Peace Officer
R.S. 14:37.4 Aggravated Assault with a Firearm
R.S. 14:64.3 Armed Robbery; Use of a Firearm
R.S. 14:64.4 Second Degree Robbery
R.S. 14:34.6 Disarming of a Peace Officer
R.S. 14:40.2 Stalking
R.S. 14:93.2.3 Second Degree Cruelty to Juveniles
R.S. 14:108.1 Aggravated Flight from an Officer
R.S. 14:34.2 Battery of a Police Officer
R.S. 14:46.3 Trafficking of Children for Sexual Purposes
R.S. 14:46.2 Human Trafficking
R.S. 14:62.8 Home Invasion
R.S. 14:37.7 Domestic Abuse Aggravated Assault
R.S. 14:32.1 Vehicular Homicide⁸

⁵ Under R.S. 15:440.1 et seq

⁶ Persons Under 18 and Additional Offenses

⁷ A second or subsequent conviction of R.S. 14:283.1 voyeurism, committed on or after June 18, 1992, or committed prior to June 18, 1992, if the person, as a result of the offense, is under the custody of the Department of Public Safety and Corrections on or after June 18, 1992.

⁸ In instances when the operator's blood alcohol concentration exceeds 0.20%

R.S. 14:34.9.1 Aggravated Assault upon a Dating Partner
 R.S. 14:35.3 Domestic Abuse Battery⁹
 R.S. 14:34.9 Battery of a Dating Partner¹⁰
 R.S. 14:79 Violation of Protective Order¹¹
 R.S. 14:32.9 Criminal Abortion
 R.S. 14:32.6 First Degree Feticide
 R.S. 14:32.7 Second Degree Feticide
 R.S. 14:32.8 Third Degree Feticide
 R.S. 14:32.9.1 Aggravated Criminal Abortion by Dismemberment

Drug Offenses

R.S. 40:966A Possession with Intent to Distribute Schedule I
 R.S. 40:967A Possession with Intent to Distribute Schedule II
 R.S. 40:968A Possession with Intent to Distribute Schedule III
 R.S. 40:969A Possession with Intent to Distribute Schedule IV
 R.S. 40:970A Possession with Intent to Distribute Schedule V

Sex Offenses as Defined in R.S. 15:541(24)(a)

R.S. 14:42 Aggravated or First Degree Rape
 R.S. 14:42.1 Forcible or Second Degree Rape
 R.S. 14:43 Simple or Third Degree Rape
 R.S. 14:43.1 Sexual Battery
 R.S. 14:43.2 Second Degree Sexual Battery
 R.S. 14:43.3 Oral Sexual Battery
 R.S. 14:43.5 Intentional Exposure to AIDS
 R.S. 14:46.2 Human Trafficking¹²
 R.S. 14: 46.3 Trafficking of Children for Sexual Purposes
 R.S. 14:80 Carnal Knowledge of a Juvenile (F)
 R.S. 14:81 Indecent Behavior with Juveniles
 R.S. 14:81.1 Pornography Involving Juveniles

R.S. 14:81.2 Molestation of a Juvenile¹³
 R.S. 14:81.3 Computer-Aided Solicitation of a Minor
 R.S. 14:81.4 Prohibited Sexual Conduct between an Educator and Student
 R.S. 14:82.1 Prostitution; Persons under 18
 R.S. 14:82.2 Purchase of Commercial Sexual Activity
 R.S. 14:89 Crime against Nature
 R.S. 14:89.1 Aggravated Crime against Nature
 R.S. 14:89.2 Crime against Nature by Solicitation¹⁴
 R.S. 14:89.3 Sexual Abuse of an Animal
 R.S. 14:92 Contributing to the Delinquency of Juveniles¹⁵
 R.S. 14:93.5 Sexual Battery of Persons with Infirmities
 R.S. 14:106 Obscenity by Solicitation¹⁶
 R.S. 14:283 Video Voyeurism
 R.S. 14:283.1 Voyeurism¹⁷
 R.S. 14:284 Peeping Tom

¹³ Or persons with physical or mental disability

¹⁴ R.S. 14:89.2(B)(3)

¹⁵ R.S. 14:92(A)(7)

¹⁶ To include R.S. 14:106(A)(5) - Obscenity by Solicitation of a person under the age of seventeen

¹⁷ R.S. 14:283.1(B)(2) A second or subsequent conviction of R.S. 14:283.1 voyeurism, committed on or after June 18, 1992, or committed prior to June 18, 1992, if the person, as a result of the offense, is under the custody of the Department of Public Safety and Corrections on or after June 18, 1992.

⁹ Punishable under 14:35.3(M)(2) or (N)

¹⁰ Punishable under 14:35.3(M)(2) or (N)

¹¹ Subpart C – (C)(1) or (C)(2) – If violation involves a Battery or any crime of violence as defined by this Subsection against the person for whose benefit the protective order is in effect

¹² R.S. 14:46.2(B)(2)

Ownership of a Center

In addition to the Prohibited Crimes above, Owners of all center types shall not have been convicted of or plead guilty or *nolo contendere* to a felony within the past 10 years for any of the following crimes of Fraud:

18 USC 287	False, Fictitious, or Fraudulent Claim
18 USC 1341	Mail Fraud
R.S. 14:67.11	Credit Card Fraud by Persons Authorized to Provide Goods and Service
R.S. 14:68.2	Unauthorized Use of Supplemental Nutrition Assistance Benefits or Access Devices
R.S. 14:70.1	Medicaid Fraud
R.S. 14:70.4	Access Device Fraud
R.S. 14:70.5	Fraudulent Remuneration
R.S. 14:70.7	Unlawful Production, Manufacturing, Distribution, or Possession of Fraudulent Identification Documents
R.S. 14:70.8	Illegal Transmission of Monetary Funds
R.S. 14:71	Issuing Worthless Checks
R.S. 14:71.1	Bank Fraud
R.S. 14:71.3	Mortgage Fraud
R.S. 14:72	Forgery
R.S. 14:72.1.1	Forgery of a Certificate of Insurance or Insurance Card
R.S. 14:72.4	Disposal of Property with Fraudulent or Malicious Intent
R.S. 14:73.5	Computer Fraud
R.S. 14:133	Filing or Maintaining False Public Records

Appeals

Fingerprints will be used to check the criminal history records of the FBI. The accuracy of the information contained in the FBI identification record can be challenged if an inaccuracy is believed to have been reported. The procedure for obtaining a change, correction, or updating an FBI identification record is set forth in Title 28, CFR, 16.34. Additional information can be found on the FBI website at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

An appeal of determination based on inaccuracy or completeness may be filed with the Department by completing and submitting an [Appeal Request](#) to the CCCBC team as listed on the form.

For questions and/or concerns, please contact LDOE's CCCBC team at LDECCBCprocessing@la.gov.