

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 13: Background Checks	Effective Date: June 1, 2021
	Section 05: Conducting Background Checks for Nonemergency Unlicensed Placements	Version: 9

STATEMENTS OF PURPOSE *This policy applies to [Non-Emergency Unlicensed Placements](#). For [Emergency Unlicensed Placements](#), see policy [13.11 Conducting Background Checks for Emergency Unlicensed Placements](#).*

The Indiana Department of Child Services (DCS) requires background checks for [non-emergency unlicensed placements](#). Background checks for a [non-emergency unlicensed placement](#) are required prior to the placement of a child in an unlicensed resource home for household members and all persons who:

1. Stay in the home 21 days or more, within a 12-month period. The days do not have to be consecutive; or
2. Work or volunteer in the home with children who are under the direct supervision of the unlicensed resource.

Background checks for [non-emergency unlicensed placements](#) must be completed and returned prior to placement of the child in the home and will consist of the following:

1. A Child Protective Services (CPS) History Check on all persons six (6) years of age and older in every state in which the subject of the check has resided during the last five (5) years;
2. A National Sex Offender Registry Check for all persons 14 years of age and older in every state in which the subject of the check has resided during the last five (5) years;
3. A Local Criminal Court Records Check on all persons 18 years of age and older in every criminal court jurisdiction in which the subject of the check has resided during the last five (5) years; and
4. A Fingerprint-Based Check must be completed and returned with qualified results, for all persons 18 years of age and older. See policy [13.15 Fingerprint-Based Checks](#) for further guidance.

Note: Fingerprint-Based Checks conducted for any other purpose (e.g., foster family home licensure, adoption, or employment) may not be used for the purpose of unlicensed placement. A new fingerprint-based check will be required.

An Interstate Identification Index (Triple I Check) will not be completed for [non-emergency placements](#). See policy [13.11 Conducting Background Checks for Emergency Unlicensed Placements](#) for additional information.

After a child is placed in an unlicensed resource home, DCS requires completion of background checks on:

1. New household members who stay in the home for 21 days or more, within a 12-month period. The days do not have to be consecutive. Required background checks are to be completed and returned with qualified results prior to a new household member moving

- into the unlicensed resource home;
2. Current household members who turn six (6), 14, or 18 years old. Any required background checks not completed previously (based on the individual's age) must be initiated 30 days prior to the household member's birthday; and

Note: Fingerprints may not be completed prior to 18 years of age. Fingerprints must be obtained within 30 days after the subject's 18th birthday.

3. New employees and/or volunteers in the home. Required background checks are to be completed and returned with qualified results before the subject of the check may begin working or volunteering in the unlicensed resource home.

Note: DCS will not conduct background checks on children under DCS care and supervision.

Code References

1. [IC 10-13-3-27.5: Record check by department of child services under exigent circumstances; transmittal of report copy; providing fingerprints; removal of child for failure to provide fingerprints; compliance with federal law; contesting denial of placement; fee](#)
2. [IC 10-13-3-31: Release of data to subject person; fee; challenge of data authorized](#)
3. [IC 31-9-2-22.5: "Conduct a criminal history check"](#)
4. [IC 31-26-5: Family Preservation Services](#)
5. [IC 31-34-18-6.1: Predispositional report; contents](#)
6. [IC 31-34-20-1.5: Placement in household with certain individuals prohibited; criminal history checks; exceptions; considerations](#)
7. [240 IAC Article 6: Criminal History Record Information](#)

PROCEDURE

The Family Case Manager (FCM) will:

1. Verify the identity of each subject of a background check, regardless of age, by reviewing one (1) available and current, government-issued identification (ID). See policy [2.09 Verifying Identity](#) for further guidance. Examples of government-issued IDs include, but are not limited to:
 - a. Drivers' License,
 - b. Government issued picture ID,
 - c. Social Security Card,
 - d. Birth Certificate, or
 - e. Passport.
2. Have each subject of a background check, 18 years of age and older, complete the [Application for Criminal History Background Check \(SF 53259\)](#):
 - a. The subject of the check's legal name should be used as it appears on a current government issued picture ID,
 - b. The subject of the check must sign and date the form, and
 - c. The FCM should check the form for completeness, review the attestation statement, and must place the original in the case file.
3. Register persons 18 years of age and older for the Fingerprint-Based Check unless the individual is requesting an Exception to Fingerprinting. See policy [13.15 Fingerprint-](#)

- [Based Checks](#) for additional information;
4. Conduct a Local Criminal Court Records Check on all persons 18 years of age and older by completing a court record search, including all aliases, in each county court and applicable city courts where the subject of the check has resided during the past five (5) years. For further instructions see the [Local Criminal Court Records Check Instructions](#);
 5. Conduct a National Sex Offender Registry Check for all persons 14 years of age and older, using the [DRU SJODIN National Sex Offender Public Website](#):
 - a. Search each name or combination of names used within the subject's lifetime individually.

Note: If searching a common name and results show multiple matches, narrow the search by state. If this occurs, search every state the subject has resided for the past five (5) years.

- b. Print out the results of each name searched,
 - c. Sign and date the printed results, and
 - d. Write "NO MATCH" on the printed page if there is no match.
6. Conduct a CPS History Check for all persons six (6) years of age and older by:
 - a. Completing Section A of the [Indiana Request for a Child Protection Services \(CPS\) History Check \(SF 52802\)](#), as the local office is the requesting agency;
 - b. Have the subject of the check, or representative if a minor, complete Section B of [Indiana Request for a Child Protection Services \(CPS\) History Check \(SF 52802\)](#); and
 - c. Complete a state-wide search of the case management system and reflect the results in Section C of [Indiana Request for a Child Protection Services \(CPS\) History Check \(SF 52802\)](#).
7. Conduct a CPS History search for every other state in which the individual has resided during the past five (5) years, if applicable. Locate information for a CPS administrator or local office designee to process the search request by using the [Out-of-State CPS Contact List](#); and

Note: If the person has CPS history in any state, refer to policy [13.06 Evaluating Background Checks for Nonemergency Unlicensed Placements](#) for further guidance.

8. Document all information gathered in the case management system.

The FCM Supervisor will:

1. Staff with the FCM and provide guidance and assistance with required tasks, as needed;
2. Ensure safety concerns for the FCM and child are addressed; and
3. Ensure the FCM has completed all tasks and documented the information gathered regarding the completed background checks in the case management system.

PRACTICE GUIDANCE

Undocumented Individuals

An undocumented individual is required to complete background checks for the purpose of becoming an unlicensed placement. A request to COBCU should be emailed to cobcuinquiry@dcs.in.gov, when the undocumented individual is unable to provide verification of identity. For the purposes of non-emergency placement, a Social Security number (SSN) is not

required to register for fingerprints.

Note: The FCM may complete a Permanency and Practice Support (PPS) referral through KidTraks for the International and Cultural Affairs (ICA) liaison to assist in locating required documents. See policies [2.22 International and Cultural Affairs Services](#) and [2.23 Verifying Citizenship or Immigration Status](#) for further guidance.

Notifying the FCM of Arrest, Convictions or Substantiation of Child Abuse and/or Neglect (CA/N)

The subject of the check should notify the FCM within 24 hours of the arrest, conviction or substantiation of abuse or neglect of the subject, a household member, employee, and/or volunteer. The local office shall contact COBCU for additional guidance.

FORMS AND TOOLS

1. [Application for Criminal History Background Check \(SF 53259\)](#)
2. [Indiana Request for a Child Protection Services \(CPS\) History Check \(SF 52802\)](#)
3. [Background Check Matrix for Unlicensed Placements and Foster Care](#)
4. [DCS Non-Emergency Relative Registration Instruction for Fingerprinting in Indiana](#)
5. [Local Criminal Court Records Check Instructions](#)
6. [Out-of-State CPS Contact List](#)

RELATED INFORMATION

Emergency Unlicensed Placement

Emergency Unlicensed Placement is defined as placement in a kinship or relative home (not a biological or adoptive parent's home) when a child must be placed in out-of-home care, but due to the urgent nature of the need for this placement, there is not enough time to wait for those in the home to be fingerprinted and for fingerprint results to be returned.

Non-Emergency Unlicensed Placement

Nonemergency Placement is defined as placement in a kinship or relative home (not a biological or adoptive parent's home) when a child will be placed in out-of-home care, but the nature of the situation allows the child to remain in the current placement for a period of time. The child would remain in the current placement until all background checks are completed and cleared. This includes the completion of required fingerprints, with results returned, and all necessary criminal and/or CPS waivers being granted prior to the change of placement.