

	<b>INDIANA DEPARTMENT OF CHILD SERVICES</b> <b>CHILD WELFARE POLICY</b>	
	<b>Chapter 4: Assessment</b>	<b>Effective Date:</b> July 1, 2021
	<b>Section 08: Entry into Home or Facility</b>	<b>Version:</b> 3

**POLICY OVERVIEW**

During an assessment of Child Abuse and/or Neglect (CA/N), the Indiana Department of Child Services (DCS) may make in-person contact with a child in the child’s home or a facility. Procedural steps must be followed by DCS in order to enter the home or facility and make in-person contact with the child to ensure the child’s safety and well-being.

**PROCEDURE**

DCS must seek permission prior to entering a home or facility for the purpose of making in-person contact with a child.

**Exception:** DCS may only enter the home without permission when accompanied by a Law Enforcement Agency (LEA).

Prior to entering a home or facility, the Family Case Manager (FCM) will:

1. Follow all procedural steps outlined in policies 4.05 Consent to Interview Child and 4.06 Exigent Circumstances for Interviewing Alleged Child Victims;

**Note:** Permission to enter a home or facility does not constitute as consent to interview the child.

2. Immediately contact LEA and request emergency assistance if a child is believed to be home alone and it is believed the child’s safety and well-being is in danger;
3. Ask to speak to an adult in the house (or facility personnel);
4. Introduce themselves and show official DCS identification;
5. Explain the purpose of the visit without revealing any confidential information about the Child Abuse and/or Neglect (CA/N) assessment; and
6. Seek permission to enter the home or follow visitor check-in procedures if entering a facility.

**Note:** Permission to enter a home must be given by an adult living in the home. Children under the age of 18 years cannot give permission to enter the home. If one (1) adult who lives in the home gives permission to enter, and a second adult who lives in the home objects, DCS will not enter the home and will instead seek a court order.

Upon entering a home or facility, the FCM will:

1. Exit the home immediately and without alarming the persons inside if at any time there is suspicion the home may contain a contaminating controlled substance. See Indiana Drug Endangered Child (DEC) Response Protocol; and/or

2. Discontinue the assessment if at any point the FCM becomes concerned for their safety (e.g., persons in the home become hostile or threatening or there are other dangerous conditions in the home).

**Note:** The FCM must seek supervisory input to make alternate arrangements to complete the necessary interview(s) and/or home conditions assessment.

3. Check in to the facility, present DCS issued identification, request permission from an Administrator (e.g., Director and/or Program Coordinator, Principal, etc.), and/or follow all written protocols when entering a facility.

**Note:** In order to interview the child at the child's school, except a nonaccredited nonpublic school that has less than one (1) employee, the FCM must present the following, upon arrival at the school (per Indiana code, this also allows for the FCM to interview the child alone):

- a. The FCM's credentials as a DCS employee (i.e., DCS badge); and
- b. A written statement (this could be an email or a handwritten statement which the FCM sends or writes while in the school) that states: **"DCS has parental consent or a court order, or exigent circumstances exist as defined by IC 31-9-2-44.1 to interview {insert child's name}."**

**Note:** The written statement shall not disclose any allegations or evidence and must protect the confidentiality of the child and the child's family.

4. Document permission given to enter the home or facility and by whom in the case management system.

If access to a home or facility is denied, the FCM will:

1. Request an order from the juvenile court to gain admission to the home or facility;
2. If court order is granted, return to the home or facility with LEA, who will execute the court order and gain admission;
3. Notify the entity responsible for licensing the home (i.e., DSC local office or Licensed Child Placing Agency [LCPA]) if denied entry to a licensed foster home; and

**Note:** DCS reserves the right to revoke a foster home license if denied access to a foster home.

4. Document the request was denied and who denied the request in the case management system.

## LEGAL REFERENCES

- [IC 31-33-8-7: Scope of Investigation; order for access to home, school or other place](#)
- [IC 31-9-2-44.1: Exigent Circumstances](#)

## RELEVANT INFORMATION

### Definitions

#### Facility

For the purpose of this policy, “facility” refers to a facility or institution, including, but not limited to a:

1. School;
2. Child care center;
3. Registered childcare ministry;
4. Group home;
5. Inpatient (residential) treatment center;
6. Hospital;
7. Emergency shelter;
8. Shelter care facility;
9. Juvenile detention center; and
10. Indiana Department of Corrections (DOC) facility.

#### Home

For the purpose of this policy, “home” refers to a home, foster home, relative/kinship home, or licensed child care home.

### Forms and Tools

- [Indiana Drug Endangered Children \(DEC\) Response Protocol](#)

### Related Policies

- [4.05 Consent to Interview Child](#)
- [4.06 Exigent Circumstances for Interviewing Alleged Child Victims](#)