

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 2: Administration of Child Welfare Services Section 06: Sharing Confidential Information	
	Effective Date: January 1, 2026	Version: 15

POLICY OVERVIEW

The names of the people who make a report, the children involved, and others protected by law must stay private. This information can only be shared if approved by a judge/court order or allowed by law. The Indiana Department of Child Services (DCS) also keeps private the information or records it receives from others based on the laws that apply.

POLICY STATEMENT

Confidentiality of DCS Records

DCS will keep confidential all information, documents, reports, pictures, videos, images, or recordings about a child or family with which DCS has worked.

Note: DCS will only share this information with people who are legally allowed, as outlined in IC 31-33-18-1.5 and IC 31-33-18-2.

All CA/N reports and assessment records are confidential. This includes:

1. Written reports;
2. Audio/video recordings; and
3. Photographs.

It is a crime to knowingly obtain or falsify CA/N records. It is a Class A infraction for a public employee to knowingly share confidential information.

Public Review and Research Requests

DCS may provide:

1. Public reports, improvement plans, and statewide reviews that are edited as required by law and approved by the DCS General Counsel and Data Governance Committee before they are released; and
2. General child abuse and/or neglect (CA/N) information (with no names or details) to researchers. Requests for general CA/N information go through the Data Governance Committee (Dcspublic.Recordsrequest@dcs.IN.gov).

All confidential records from DCS must be clearly labeled or stamped "CONFIDENTIAL". Any envelope with records will say "CONFIDENTIAL". Private records shared online must be encrypted (see policy [IOT-CS-SEC-003](#)).

General Considerations for Information Sharing

Unless federal law says otherwise (including the Family Educational Rights and Privacy Act [FERPA] and Confidentiality of Substance Use Disorder Patient Records [42 CFR Part 2]), DCS

may share **redacted** reports, photographs, and other information with those outlined in IC 31-33-18-2 after receipt of a written request and approval from the DCS Staff Attorney.

Foster Care or Residential Treatment Records

DCS keeps medical records private. If a child needs to be placed out of home in a foster home or residential treatment facility, a diagnosis or behavior needs might be shared with the Licensed Child Placing Agency (LCPA) or residential treatment facility to help decide if the placement is a good fit.

DCS will keep all records about children and their parent, guardian, custodian, or other relatives confidential. Information about children involved in ongoing service cases and placed in a licensed foster home or residential treatment facility may be released to:

1. A state agency involved in licensing of the foster home or facility where the child is placed;
2. A legally mandated CPS agency (see Providing Information to Another CPS Agency below);
3. A law enforcement agency (LEA);
4. An agency having care for a child placed in a foster home or a facility;
5. The parent, guardian, or custodian of the child in a foster home or a facility;
6. A citizens review panel; and
7. The DCS Ombudsman.

DCS must protect a child or family's private information. This information may only be shared for one (1) of the following reasons:

1. Administration of the state plan under Title IV-B, Title IV-D, or Title IV-E of the Social Security Act;
2. Investigations or legal proceedings connected with the administration of the state plans;
3. Management of other federal or federally supported programs that provides assistance or services based of need;
4. Audits by government agents to check how the plan or program funded under the plan is managed; or
5. Reporting known or suspected CA/N to appropriate authorities.

Licensing Records

Licensing files are considered public information with the **exception** of the following:

1. CA/N information;
2. Information about:
 - a. Children in foster care,
 - b. Children in day care, and
 - c. The parent, guardian, or custodian of these children.
3. Medical or psychological information;
4. Federal Bureau of Investigation (FBI) transcript reports;
5. Financial information; and
6. Inter-agency and intra-agency decision-making communications.

LEGAL REFERENCES

- [IC 4-1-6-8.5: Consistent handling of information among and between agencies; principles and procedures](#)
- [IC 5-14-3: Chapter 3. Access to Public Records](#)

- [IC 5-14-3-10: Classified confidential information; unauthorized disclosure or failure to protect; offense; discipline](#)
- [IC 12-18-8: Chapter 8. Domestic Violence Fatality Review Team](#)
- [IC 12-18-9-3: Statewide domestic violence fatality review committee purpose](#)
- [IC 16-49.5-2: Chapter 2. Suicide and Overdose Fatality Review Teams](#)
- [IC 16-49-6: Chapter 6. Fetal-Infant Mortality Review Teams](#)
- [IC 16-50-1-3: Statewide maternal mortality review committee established; duties; authority](#)
- [IC 31-9-2-14.2: "Child advocacy center"](#)
- [IC 31-9-2-47.1: "Forensic interview"](#)
- [IC 31-25-2-14.5: Child advocacy centers; duties; confidentiality; civil immunity](#)
- [IC 31-25-2-20.4: Citizen review panels; membership; appointment; duties; response to report; prohibited acts](#)
- [IC 31-27: ARTICLE 27. CHILD SERVICES: REGULATION OF RESIDENTIAL CHILD CARE](#)
- [IC 31-27-3-18: Records](#)
- [IC 31-27-4-21: Records regarding children](#)
- [IC 31-33-7-8: Reports after initiation of assessment or investigation; contents; confidentiality](#)
- [IC 31-33-8: Chapter 8. Investigation of Reports of Suspected Child Abuse or Neglect](#)
- [IC 31-33-8-9: Provision of copies of investigative report by department of child services](#)
- [IC 31-33-18-1: Confidentiality; exceptions](#)
- [IC 31-33-18-1.5: Written findings; copies to the department of child services; certain records held by governmental entities not confidential if redacted; procedure for reacting records](#)
- [IC 31-33-18-2: Disclosure of unredacted material to certain persons](#)
- [IC 31-33-18-3: Disclosure to qualified researchers](#)
- [IC 31-33-18-4: Notice to parent, guardian, or custodian of availability of reports, information, and juvenile court records; release form; copying costs](#)
- [IC 31-33-22-2: Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation](#)
- [IC 31-36-1-3.5: Information to the National Center for Missing and Exploited Children](#)
- [IC 31-36-2-2: Investigatory duties of law enforcement agency](#)
- [IOT-CS-SEC-003 Data Encryption](#) – accessible to DCS staff on the VPN
- [34 CFR Part 99: Family Educational Rights and Privacy](#)
- [42 CFR Part 2: Confidentiality of Substance Use Disorder Patient Records](#)
- [42 U.S.C. 671 \(a\)\(8\): State Plan for Foster Care and Adoption Assistance](#)
- [42 U.S.C. 671 \(a\)\(9\)\(C\)\(i\)\(I\) State Plan for Foster Care and Adoption Assistance](#)
- [42 U.S.C. 5106a\(b\)\(2\)\(B\)\(x\): The Child Abuse Prevention and Treatment Act; Grants to States for Child Abuse or Neglect Prevention and Treatment Programs](#)
- [465 IAC 2-5-1: Release of information to individuals engaged in research projects on child abuse; written request; good faith research project; qualifying individual](#)