

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 12: Foster Family Home Licensing	Effective Date: October 1, 2012
	Section 20: Variances	Version: 2

STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) may grant a variance for a foster family home to meet the intent of a DCS rule or regulation in an alternate method that still protects the health, safety, and welfare of children. A variance can be granted only upon approval from the Central Office Licensing Unit.

Variances can be granted only for rules and regulations and not for Indiana statutory requirements.

The Central Office Licensing Unit has sole authority to approve or deny a variance.

Code Reference

1. [IC 31-27-2-8: Granting of variances and waivers](#)
2. [IC 31-27-2-9: Expiration of variances and waivers](#)
3. [IC 31-27-2-10: Renewal of variances and waivers](#)
4. [IC 31-27-2-11: Revocation of variances and waivers](#)
5. [IC 31-27-4-12: Eligibility for waivers and variances](#)

PROCEDURE

To request a licensing variance, the applicant or licensee will submit documentation that outlines the alternative plan for meeting the regulation and supporting information as to how this plan does not compromise the health, safety, or welfare of any child receiving services.

To request a variance, the licensing worker¹ must:

1. Process the variance request, including the documentation narrative, in the case management system; and
2. Submit the request for variance to the Central Office Licensing Unit.

Upon receipt of the variance request, the Central Office Licensing Unit will:

1. Review the request and ask for additional information, if applicable;
2. Approve or deny the request; and
3. Notify the licensing worker of variance approval or denial.

The licensing worker will notify the applicant or licensee of the approval or denial.

¹ The licensing worker refers to the DCS Regional Foster Care Specialist (RFCS) or the Licensed Child Placing Agency worker

PRACTICE GUIDANCE

N/A

FORMS AND TOOLS

N/A

RELATED INFORMATION

Examples of Possible Variances

1. Substituting bottle water for well water; or
2. Substituting professional medical training for the CPR, First Aid, and Universal Precautions training.

Expiration of Variances

Variances granted or renewed will expire on one (1) of the following dates, whichever comes first:

1. Date when the license affected by the variance expires;
2. Date set by the Central Office Licensing Unit Manager for the expiration of the variance;
or
3. Occurrence of the event set by the Central Office Licensing Unit for the expiration of the variance.

If a licensee violates a condition of a variance, the licensing worker should contact the Central Office Licensing Unit for consultation on how to proceed. The Central Office Licensing Unit may recommend to the DCS Director or designee an order terminating the variance before it expires.