



## INDIANA DEPARTMENT OF CHILD SERVICES

### CHILD WELFARE POLICY

#### Chapter 13: Background Checks

#### Section 11: Conducting Background Checks for Emergency Unlicensed Placements

**Effective Date:** November 1, 2024

**Version:** 3

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**POLICY OVERVIEW** This policy applies to in-state Emergency Unlicensed Placements. For Non-emergency Unlicensed Placements, see policy 13.05 conducting Background Checks for Non-emergency Unlicensed Placements. For Out-of-State Placements, see Chapter 9 Interstate Compact (ICPC) policies.

The Indiana Department of Child Services (DCS) conducts background checks on all emergency unlicensed placements to help ensure the safety and well-being of children placed in their care.

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## PROCEDURE

DCS requires background checks for an emergency unlicensed placement (see Definitions). The type of background check conducted for an emergency unlicensed placement will vary based on the age of the subject of the check:

1. Interstate Identification Index (Triple I Check) must be completed, **prior to placement**, on all persons 18 years of age and older, who are current permanent household members which include:
  - a. Persons who stay in the home for 21 days or more, within a 12-month period (the days do not have to be consecutive), and
  - b. Persons who work or volunteer in the home with children who are or will be under the direct supervision of the unlicensed resource.

**Note:** Using the Triple I Check for reasons other than emergency unlicensed placement (e.g., non-emergency placements [see Definitions], foster care licensing, adoption, babysitters, minors, parents, or parent's household members) violates both the law and DCS policy. Indiana statute allows DCS the ability to access the Triple I Check without fingerprints at the time an emergency unlicensed placement is being considered.

2. A Fingerprint-Based Check must be completed **no more than five (5) business days from the date of placement** and returned with "qualified" results on all persons 18 years of age and older, if the child is placed for **any** period of time in the emergency unlicensed placement. See policy 13.15 Fingerprint-Based Checks;
3. Complete a Local Criminal Records Check in Indiana for each household member, 18 years of age and older, by searching the MyCase website. See the Local Criminal Records Check Instructions available on the Background Check Resources SharePoint;

4. 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; and
5. A National Sex Offender Registry (NSOR) 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.

Current household members and all persons who are staying, working, or volunteering in the home being considered for emergency unlicensed placement who turn six (6), 14, or 18 years of age:

1. Must have any required background checks initiated **30 days prior** to the person's birthday that were not previously completed (based on age); and
2. Obtain fingerprints within **30 days after** the subject's 18<sup>th</sup> birthday. Fingerprints may not be completed prior to 18 years of age.

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

The Family Case Manager (FCM) will take the following actions to complete the required background checks prior to placing a child in an emergency unlicensed placement:

1. Verify the identity of each subject of the check, regardless of age, by reviewing one (1) available and current government-issued identification (ID). The subject of the check's legal name should be used as it appears on a current government-issued photo ID. See policy 2.09 Verifying Identity and Relationship;
2. Ensure the Combined Application for Criminal and Child Protection Services (CPS) History Searches form is completed as outlined in the instructions of the form, and review the attestation statement (numbers 23 and 24 on the form), to conduct the following:
  - a. Local Criminal Records Check,
  - b. CPS History Check for each household member,
  - c. NSOR Check using the Dru Sjodin National Sex Offender Public website;
    - i. Search each name or combination of names, individually, used within the subject's lifetime,

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

- ii. Print out the results of each name searched,
- iii. Sign and date the printed results, and
- iv. Write "NO MATCH" on the printed page if there is no match.
3. Complete a state-wide search of the case management system and reflecting the results in Section E of Combined Application for Criminal and Child Protection Service (CPS) History Searches form.

**Note:** Ensure the subject of the check is aware they 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 at COBCUinquiry@dcs.in.gov for additional guidance.

Once the required background checks are completed, as discussed above, and evaluated as clear, the FCM will complete the following for household members who are 18 years of age and older:

1. Notify management-level staff (FCM Supervisor and above) to make a Triple I call to complete the Triple I Check;
2. Register the subject for the Fingerprint-Based Check as an emergency unlicensed placement if emergency unlicensed placement of a child occurs and ensure the fingerprint appointment is scheduled **no more than five (5) business days from the date of placement**. See 13.15 Fingerprint-Based Checks and the Indiana Department of Child Services, Emergency Relative/Kinship Unlicensed Out-of-Home Placement Registration/Appointment Instructions for Fingerprinting guide for additional information:

**Note:** The child must be removed from the emergency placement within 15 calendar days after the Triple I Check call is made, if any of the household members 18 years of age or older fail to complete the Fingerprint-Based Check. Contact Central Office Background Check Unit (COBCU) at COBCUinquiry@dcs.in.gov for additional guidance.

3. Complete the DCS Triple I Follow Up Action Electronic Form on SharePoint within five (5) business days if the Triple I Check was completed, but the child was not placed with the emergency unlicensed placement for **any** period of time. See policy 13.15 Fingerprint-Based Checks;
4. Record any arrests and/or convictions obtained when the Triple I name-based check is completed) regarding the subject, in the case management system. See policy 13.12 Evaluating Background Checks for Emergency Unlicensed Placements; and
5. Staff with the FCM Supervisor and document all decisions regarding the subject's results and the child's placement in the case management system.

**Within 72 hours** of the child's placement, the FCM will:

1. Initiate and conduct a CPS History search for each household member six (6) years of age and older in each state **outside of Indiana**, in which the subject of the search has resided the past five (5) years, if applicable. Locate information for a CPS administrator or local office designee to process the search request on the Out-of-State CPS Contact List, available on the Background Check Resources SharePoint;

**Note:** If results are not received within 10 business days after initiation of the CPS History check, the FCM should follow up with the contact listed on the Out-of-State CPS Contact List available on the Background Check Resources SharePoint. If additional assistance is needed in obtaining CPS History Check results, the FCM should contact COBCU at COBCUinquiry@dcs.in.gov. If the person has CPS history in any state, refer to policy 13.12 Evaluating Background Checks for Emergency Unlicensed Placements.

2. Conduct a Local Criminal Records Check in each state **outside of Indiana** for each household member 18 years of age and older, where the subject of the check has resided during the past five (5) years, if applicable, by completing a court record search (including all aliases) in each county court and applicable city courts. For further instructions see the Local Criminal Records Check Instructions available on the Background Check Resources SharePoint;
3. Record the results in the case management system within 72 hours of receipt; and
4. Staff with the FCM Supervisor and document all decisions regarding each subject's background check results and the child's placement 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;
3. Request a Triple I Check, prior to the emergency unlicensed placement, for all household members 18 years of age and older (see Exceptions for Completion of Triple I Checks) by calling:

**Note:** Triple I Checks should not be completed on biological parents or for a subject requesting a medical exception to exclude fingerprinting. Additionally, an emergency placement cannot occur if the subject is requesting a medical exception or does not have a Social Security Number (SSN).

- a. The COBCU at 317-464-0139 from 7:00 a.m. to 3:30 p.m. (EST) on weekdays, excluding state holidays, or
- b. The ISP Headquarters at 317-232-8294 or 1-800-622-4961 when outside the COBCU hours,
  - i. Provide the COBCU or ISP with the assigned password, responding to a security question for identification, and identifying the DCS local office making the request, and

**Note:** Passwords and/or challenge questions should **not** be shared with anyone, including other DCS staff. Management-level staff should e-mail the COBCU at [COBCUinquiry@dcs.in.gov](mailto:COBCUinquiry@dcs.in.gov) when experiencing difficulty using the assigned username and/or challenge question.

- ii. Provide the COBCU or ISP with the name, date of birth (DOB), and SSN exactly as listed on the subject of the check's government issued IDs.

4. Complete and submit the Initial Record of Triple I Call form within 24 hours of completion of the Triple I name-based call, and

**Note:** Regardless of whether the child was placed, one (1) Initial Record of Triple I Call form will be completed for each applicant in which a Triple I name-based check was completed.

5. Ensure the FCM has completed all tasks and documented all information and decisions into the case management system.

DCS COBCU will respond to all requests for guidance or assistance as needed or requested.

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## RELEVANT INFORMATION

### Definitions

#### Emergency Unlicensed Placement

Emergency unlicensed placement is defined as placement in a relative or kinship 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 those fingerprint results to be returned.

## Non-emergency Unlicensed Placement

Non-emergency unlicensed placement is defined as placement in a relative or kinship 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 until all background checks are completed and cleared. This includes the necessary fingerprints, with results returned, and all necessary criminal and/or CPS waivers being granted prior to the change of placement. See 13.05 Conducting Background Checks for Non-emergency Unlicensed Placements for additional information.

## **Forms and Tools**

- Background Check Matrix for Unlicensed Placement Desk Guide – Available on the [Background Check Resources SharePoint](#)
- Central Office Background Check Unit (COBCU) email - [cobcuinquiry@dcs.in.gov](mailto:cobcuinquiry@dcs.in.gov)
- [Combined Application for Criminal and Child Protection Service \(CPS\) History Searches \(SF 57332\)](#)
- [DCS Triple I Follow Up Action Electronic Form](#)
- [Dru Sjodin National Sex Offender Public website](#)
- [Indiana Department of Child Services, Emergency Relative/Kinship Unlicensed Out-of-Home Placement Registration/Appointment Instructions for Fingerprinting](#)
- [Initial Record of Triple I Call](#)
- Local Criminal Records Check Instructions – available on the [Background Checks website](#)
- [MyCase Website](#)
- Out-of-State CPS Contact List – available on the [Background Checks website](#)

## **Related Policies**

- [2.09 Verifying Identity and Relationship](#)
- [Chapter 9: Interstate Compact \(ICPC\)](#)
- [13.05 Conducting Background Checks for Non-Emergency Unlicensed Placements](#)
- [13.12 Evaluating Background Checks for Emergency Unlicensed Placements](#)
- [13.15 Fingerprint-Based Checks](#)

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## **LEGAL REFERENCES**

- [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](#)
- [IC 10-13-3-31: Release of data to subject person; fee; challenge of data authorized](#)
- [IC 31-9-2-22.5: "Conduct a criminal history check"](#)
- [IC 31-26-5: Family Preservation Services](#)
- [IC 31-34-18-6.1: Predispositional report; contents](#)
- [IC 31-34-20-1.5: Placement in household with certain individuals prohibited; criminal history checks; exceptions; considerations](#)
- [240 IAC Article 6: Criminal History Record Information](#)

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## PRACTICE GUIDANCE- DCS POLICY 13.11

*Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.*

N/A

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