

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 13: Background Checks Section 07: Conducting Background Checks for Adoptions	
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- [Procedure](#)
- [Definitions](#)

- [Forms and Tools](#)
- [Related Policies](#)

- [Legal References](#)
- [Practice Guidance](#)

POLICY OVERVIEW

The Indiana Department of Child Services (DCS) requires background checks to be conducted on prospective adoptive homes to help ensure the safety and well-being of children placed with the adoptive family.

[Back to Top](#)

PROCEDURE

Background checks will be conducted for the purpose of adoption (including for the adoption home study, adoption summary, or Indiana Adoption Assistance Program [AAP] eligibility determination) on all persons who:

1. Are members of the prospective **DCS** adoptive household;

Note: Background checks are a requirement for a petitioner's spouse, even when the married couple is not living together in the adoptive home.

2. Stay in a prospective DCS adoptive home for 21 calendar days or more within a 12-month period (days do not have to be consecutive); or

Note: Background checks must be completed **prior** to a new household member moving into the prospective adoptive home.

3. Are members of a prospective **private** adoptive home who are applying for AAP (see Practice Guidance).

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

DCS requires the prospective adoptive home to notify the adoption worker within 24 hours of the arrest, conviction, or substantiation of abuse or neglect of the prospective adoptive parent or a household member. The adoption worker and supervisor will evaluate the severity and seriousness of the offense on a case-by-case basis and contact the Central Office Background Check Unit (COBCU) for guidance.

Required Background Checks

The type of background check required will vary based on the age of the subject of the check and must be completed **annually**:

1. A Child Protective Services (CPS) History Check on all household members, 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;

Note: States must be searched based on where the person has resided during the last five (5) years. However, CPS history is reported from those states as far back as there are records or to the date that state's law indicates records should be maintained. Indiana maintains substantiated history back to 1988.

2. A Fingerprint-Based National Criminal History Check (Fingerprint-Based Check) with qualified results for all household members, 18 years of age and older (see policy 13.15 Fingerprint-Based Checks).

Note: Fingerprints may not be completed prior to 18 years of age. Fingerprint-Based Checks conducted for any other purpose (e.g., foster family home licensure, unlicensed placement, employment) may not be used for the purpose of adoption, and a new Fingerprint-Based Check will be required.

3. A Local Criminal Records Check on all household members, 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 National Sex Offender Registry Check for all household members, 14 years of age and older, in every state in which the subject of the check has resided during the last five (5) years.

Any background check not completed prior to the child's placement into the prospective adoptive home (due to the subject of the check's age) must be initiated 30 days prior to the current household member's sixth (6th), 14th, or 18th birthday.

New background checks must be completed prior to the following, if it has been 12 months since the last adoption background check:

1. Pre-adoptive placement;
2. Adoption home study or adoption summary;
3. Submission of the AAP Application; or
4. Filing the petition for adoption.

Completion of Background Checks

The adoption worker will complete the following:

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 and Relationship). Examples of government-issued IDs include, but are not limited to:
 - a. Birth Certificate,
 - b. Drivers' License,
 - c. Government-issued photo ID,
 - d. Passport, or
 - e. Social Security Card.

Note: In **private** adoption cases where the prospective adoptive parent is applying for AAP, the Central Office Eligibility Unit (CEU) will work with the family to complete background checks once their application is received.

2. Ensure each subject of a background check, 6 years of age and older, completes the Combined Application for Criminal and Child Protection Service (CPS) History Searches form using their legal name as it appears on a current government-issued photo ID:
 - a. The subject of the check (or their parent, guardian, or custodian if a minor) must sign and date the form, and
 - b. The adoption worker must place the original form in the file after completion of the background check process.
3. Register each household member, 18 years of age and older, for a Fingerprint-Based Check, unless the person requests an Exception to Fingerprinting (see policy 13.15 Fingerprint-Based Checks);

Exception: DCS will not conduct Fingerprint-Based Checks for domestic or international **private** adoptions unless the prospective **private** adoptive home is applying for AAP through DCS. The **private** adoption agency and/or legal representative is responsible for completing Fingerprint-Based Checks through the Indiana State Police (ISP).

Note: A Regional Manager (RM) Appeal must be completed if the prospective adoptive family requests that DCS pay for fingerprints for the purpose of adopting a DCS ward (see policy 13.15 Fingerprint-Based Checks).

4. Conduct a Local Criminal Records Check on all household members, 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 the past five (5) years (see the Local Criminal Records Check Instructions):
 - a. Use the MyCase website for an Indiana court record search for the subject in each county court, as well as applicable city courts, in which the subject resided, and
 - b. Contact every town/city/county court for court record searches for all other states in which the subject has resided.
5. Conduct a National Sex Offender Registry Check for all household members, 14 years of age and older, using the Dru Sjodin National Sex Offender Public Website by:
 - a. Completing an individual search for each name or combination of names used within the subject's lifetime,

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

- b. Printing out the results of each name searched,
 - c. Signing and dating the printed results, and
 - d. Writing "NO MATCH" on the printed page if there is no match.
6. Conduct an Indiana CPS History Check for all household members, six (6) years of age and older, by:
 - a. Completing the Combined Application for Criminal and Child Protection Service (CPS) History Searches form,

- b. Ensuring the subject of the check, or representative if a minor, completes Sections C and D on the Combined Application for Criminal and Child Protection Service (CPS) History Searches form, and
- c. Completing a state-wide search within the case management system and reflect the results of the search in Section E of the Combined Application for Criminal and Child Protection Service (CPS) History Searches form.

Note: Licensed Child Placing Agencies (LCPAs) are unable to access the case management system and shall submit a request to the DCS Central Office Background Check Unit (COBCU) using the CPI/CPS electronic portal.

7. Conduct an Out-of-State CPS History Check for every state the household member has resided during the past five (5) years using the Out-of-State CPS Contact List, if applicable; and
8. Ensure the prospective adoptive home is aware that they must notify the adoption worker within 24 hours of the arrest, conviction, or substantiation of abuse or neglect of the prospective adoptive parent or household member.

The Adoption Worker's supervisor will:

1. Ensure all appropriate background checks for the purpose of adoption have been conducted and documented; and
2. Complete and submit the Request for Additional Funding (RAF) form to the Division Manager (DM) or Local Office Director (LOD), when applicable.

DCS will maintain confidentiality of all information gained during the background check process, following all applicable state and federal laws as well as Criminal Justice Information Services (CJIS) security protocols (see policy 2.06 Sharing Confidential Information).

[Back to Top](#)

RELEVANT INFORMATION

Definitions

Adoption Worker

For the purposes of this policy, an adoption worker is either the DCS or the LCPA worker who conducts the home study and completes the required background checks.

Forms and Tools

- [Combined Application for Criminal and Child Protection Services \(CPS\) History Searches \(SF 57332\)](#)
- DCS Central Eligibility Unit (CEU) – Centralized.eligibility@dcf.in.gov
- DCS Central Office Background Check Unit (COBCU) - cobcuinquiry@dcf.in.gov
- [DCS Background Check webpage](#)
- [Dru Sjodin National Sex Offender Public Website](#)
- [Request for Additional Funding \(SF 54870\)](#)
- [MyCase Website](#)
- [Out-of-State CPS Contact List](#)
- [Local Criminal Records Check Instructions](#)

Related Policies

- [2.06 Sharing Confidential Information](#)

- [2.09 Verifying Identity and Relationship](#)
- [13.15 Fingerprint-Based Checks](#)

[Back to Top](#)

LEGAL REFERENCES

- [IC 31-9-2-22.5: "Conduct a criminal history check"](#)
- [IC 31-19-2-7.3: Waiver of criminal history check requirements prohibited](#)
- [IC 31-19-2-7.5: Submission of information, forms, or consents for criminal history check](#)
- [IC 31-19-7-1: Prior written approval of placements; criminal history checks](#)
- [IC 31-19-8-5: Agency report and recommendation; filing requirements; waiver of report](#)
- [IC 31-19-11-1: Decree; affidavit; criminal convictions and juvenile adjudications](#)

[Back to Top](#)

PRACTICE GUIDANCE - DCS POLICY 13.07

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.

Employees, Contractors, and Volunteers of the Prospective Adoptive Home, including Child Care Providers

Background checks are not required to be completed on employees, contractors, and/or volunteers of a prospective adoptive home, including child care providers. Discretion may be used to decide if a background check (e.g., Child Protective Services [CPS] History Check History Check, National Sex Offender Registry, and/or Limited Criminal History Check) should be completed; however, a Fingerprint-Based Check should not be conducted. If the prospective adoptive family uses a child care provider who is licensed by the Division of Family Resources (DFR), the required background checks have already been completed as part of the child care provider's licensing process.

[Back to Top](#)