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July 1, 2008

To: Regional Managers  
Directors, Local Offices, Department of Child Services

From: James W. Payne, Director  
Angela Green, Deputy Director Practice Support  
Department of Child Services

Subject: Homeless Children Legislative Changes  
DCS-08-07

The Indiana Department of Child Services (DCS) continues to improve partnerships with the children and families we serve. In fulfilling the value that “We believe every child has the right to appropriate care and a permanent home,” recent Legislative changes have been enacted to strengthen our achievement of this value.

This administrative letter outlines recent legislative changes reflecting the importance of ensuring that DCS responds to homeless unaccompanied minors who voluntarily enter an emergency shelter or shelter care facility without the presence or consent of a parent, guardian or custodian. Below is a summary of the changes effective July 1, 2008.

According to IC 31-36-3, “Children may now receive shelter, food, clothing, personal hygiene products, health care, and counseling from an emergency shelter, shelter care facility or program that provides services or items directly related to providing shelter to individuals who are homeless or have a low income without the notification, consent, or permission of the child’s parent, guardian or custodian.”

As directed by IC 31-36-3, if a child voluntarily enters an emergency shelter or a shelter care facility without the presence or consent of a parent, guardian, or custodian, the emergency shelter or shelter care facility must notify DCS within twenty-four (24) hours of the child entering the facility. The emergency shelter or shelter care facility will provide DCS with the name of the child, the location of the shelter, and if the child is alleging abuse or neglect. All reports of this nature will be assigned for an assessment and



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may not be screened-out.

Upon receiving a report, DCS must conduct an assessment no later than forty-eight (48) hours after receiving the report. DCS must notify the child's parent, guardian, or custodian that the child is in an emergency shelter or shelter care facility no later than seventy-two (72) hours after the child enters the shelter or facility (or 48 hours after receiving the report). However, if DCS has reason to believe that the child is a victim of abuse and/or neglect, DCS may not notify the child's parent, guardian, or custodian as to the specific shelter or shelter care facility the child has entered.

This policy does not apply to children who are emancipated minors.

Updates will also be made to Chapter 3 – Intake and Chapter 4 – Assessment of the DCS Policy Manual to reflect these important changes.

If you have any questions regarding this change please address them to the DCS policy mailbox.

Sincerely,

James W. Payne, Director  
Department of Child Services

