



TITLE	POLICY NUMBER	
Central Registry Background and Fingerprint Clearance Card Checks for Direct Service Employees	DCS 18-02	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Foster Care and Post Permanency Support	February 19, 2020	

## I. POLICY STATEMENT

The Department of Child Safety (DCS) maintains a Central Registry of substantiated reports of abuse and neglect that can be accessed to perform background checks. DCS shall accommodate requests from state agencies, businesses, individuals, and other entities that provide direct services to children and vulnerable adults, to search its Central Registry for substantiated reports regarding direct service applicants who consent to such a search. Additionally, DCS shall conduct fingerprint clearance card checks to ensure that individuals providing direct services to children and vulnerable adults have been appropriately vetted.

## II. APPLICABILITY

This policy applies to individuals who provide direct services to children and vulnerable adults, and outlines the process implemented by DCS to conduct Central Registry searches and fingerprint clearance card checks of those individuals. Pursuant to Arizona Revised Statutes § 8-804, information contained in the DCS Central Registry may be used as a factor in determining the qualifications of applicants who are seeking to provide direct services to a child or vulnerable adult. This policy does *not* apply to licensees and staff of child welfare agencies, applicants applying for foster home licensing under Title 21, Chapter 6, Foster and Adoption Support (FAS) providers, adoption agency staff, or child-placing agency staff; those background checks are conducted by the Office of Licensing and Regulation (OLR).

## III. AUTHORITY

<a href="#">A.R.S. § 8-201</a>	Definitions
<a href="#">A.R.S. § 8-804</a>	Central registry; notification
<a href="#">A.R.S. § 8-807</a>	DCS information; public record use; confidentiality; violation; classification; definition
<a href="#">P.L. 109-248</a>	Adam Walsh Child Protection and Safety Act of 2006

#### IV. DEFINITIONS

Agency: Any institution maintained by a person, firm, corporation, association, or organization to receive children or vulnerable adults for care and maintenance, as well as governmental entities within the State of Arizona, including the Department of Economic Security, the Department of Education, and the Department of Juvenile Corrections.

Applicant: A person who submits an application for direct service employment or transfers to a direct service position, or is transferred from a non-direct service position to a direct service position. Applicants also include persons who apply for an internship, volunteer position, or individuals who seek to determine if they are identified in a substantiated report.

Central Registry: The database of substantiated reports of child abuse or neglect contained within the DCS case management information system.

Child, youth, or juvenile: An individual who is under 18 years of age.

Clearance Card Tracking System (CCTS): The system used by DCS to confirm the validity and track the status of fingerprint clearance cards.

Department or DCS: The Arizona Department of Child Safety.

Direct service position: Any position having primary duties, tasks, or responsibilities that include in-person interaction, including interaction alone, with a child or vulnerable adult.

Disqualifying acts: Substantiated acts of abuse or neglect of a child that is of such a serious nature that it disqualifies an applicant from consideration for a direct service position.

Perpetrator: For the purposes of this policy, an individual who was the subject of an investigation of child abuse or neglect that resulted in a substantiated finding.

Substantiated report: An allegation of child abuse or neglect found to be true by a probable cause standard of evidence.

Vulnerable adult: An individual who is 18 years of age or older and who is unable to protect himself or herself from abuse, neglect, or exploitation by others because of a mental or physical impairment.

## V. POLICY

- A. The Department shall accept requests to perform Central Registry background checks for applicants seeking direct service employment. The Department shall use information provided by applicants and their employers to search the Central Registry for substantiated reports of child abuse and neglect. The identity of any applicant identified as the perpetrator in a substantiated report of child abuse or neglect shall be reported to the requestor.
- B. For agencies that have a contract to provide services for DCS, the Department shall also conduct fingerprint clearance card checks via the Clearance Card Tracking System (CCTS) through the Department of Public Safety. The status of the applicant's fingerprint clearance card shall be reported to the requestor.
- C. Identifying information regarding any person other than the perpetrator may not be released. Information received pursuant to this policy may not be further disseminated unless authorized by law or court order.
- D. Information contained in the Central Registry is confidential. DCS employees who disclose or use information obtained pursuant to this policy for any purposes other than those allowed by this policy are subject to disciplinary action up to and including dismissal. Unauthorized dissemination of DCS information is a class 2 misdemeanor.

## VI. PROCEDURES

- A. Agencies or individuals may request a Central Registry/Fingerprint Clearance Card check by completing a [Direct Service Central Registry Clearance Form](#)

(DCS-1083A), Individual Central Registry Request (CSO-2040) form, or a Prospective Caregiver Central Registry Check (CS)-1058A) form to determine whether applicants have been identified as a perpetrator in a report of child abuse or neglect.

1. The *Direct Service Central Registry Clearance Form* is for applicants and employees who apply for a position that requires a search of the DCS Central Registry and a Level 1 Fingerprint Clearance Card.
  2. The *Individual Central Registry Request* is for individuals who wish to determine if they have been identified as the perpetrator in a substantiated report of child abuse or neglect in the DCS Central Registry.
  3. The *Prospective Caregiver Central Registry Check* form is for adoptive and foster families, their household members, and any other prospective caregivers; it is also used to search child abuse registries nationwide pursuant to the Adam Walsh Child Protection and Safety Act. It does not include a fingerprint clearance card check.
- B. The Foster and Adoption Recruitment Unit (hereafter referred to as the Unit) conducts a search of the applicant's name and date of birth in the Central Registry and checks the status of their fingerprint clearance card in the Clearance Card Tracking System (CCTS).
1. Regarding substantiated reports, the Unit shall report to the requestor:
    - a. the date the Central Registry was checked;
    - b. whether the applicant was identified as a perpetrator in any substantiated report; and
    - c. whether the acts were disqualifying or non-disqualifying, i.e. acts that would preclude an individual from attaining a Level 1 Fingerprint Clearance Card.
  2. Regarding fingerprint clearance card checks, the Unit shall report to the requestor:
    - a. the date the fingerprint clearance card status was checked;
    - b. whether the fingerprint clearance card is:
      - i. Valid (Level 1);

- ii. Suspended;
- iii. Expired;
- iv. Denied; or
- v. Driving Restricted.

C. The Unit shall notify the person who is disqualified because of a Central Registry check that they may apply to the Board of Fingerprinting for a Central Registry exception pursuant to [A.R.S. § 41-619.57](#).

## **VII. FORMS INDEX**

[Direct Service Central Registry Clearance Form \(DCS-1083A\) or \(DCS-1083A-S\)](#)  
[Individual Central Registry Request \(CSO-2040\)](#)  
[Prospective Caregiver Central Registry Check \(CSO-1058A\)](#)