

DSS Policy and Procedure Guide

Division 03: Child Welfare

Chapter 01: Director's Policies

Item 017: **Completing CPS and Criminal Clearances on Parents and Guardians**

Suggested changes send to: [DSS PSOA Mailbox](#)

Issued: **October 5, 2012**

References: [PPG 3-3-8](#); [PPG 3-3-38](#)

Replaces Issue: **NEW**

Policy

Children should be safe and free from abuse or neglect in their home. To help ensure safety, protection, physical and emotional well being of children who are in an open referral or case all Department of Social Services (DSS) Child Welfare social workers shall follow a uniform and standardized method for conducting CPS and criminal clearances for parents and guardians.

Purpose

To inform DSS Child Welfare staff of the policies, procedures and general requirements for completing CPS and criminal clearances for custodial and non-custodial parents and legal guardians of children who are in an open referral or case.

Procedure

Social Worker Responsibilities

The case managing social worker (CM SW) shall follow the procedure outlined below whenever a newly assigned referral is received and when initial contact with a parent or guardian is made in an open case. The CM SW shall not authorize a parent or guardian to have contact or visits with a child or recommend services/custody for a parent or guardian until the CM SW has completed these steps:

- Conduct a CWS/CMS records check for history regarding the parent/guardian, other household members, and other persons frequenting the parent's/guardian's home. The CM SW shall thoroughly read and review prior investigations and prior case history, if applicable.
- Conduct a Sheriff's Department records check for history regarding the parent/guardian, other household members, and other persons frequenting the parent's/guardian's home.
- Thoroughly review all CLETS and/or Live-Scan records on file.
- Check the names of all adult household members and all adults who frequent the parent's/guardian's home (significant others, babysitters, etc) in the State of California Department of Justice [Megan's Law](#) website.
- Upon contact with the parent's/guardian's family obtain or confirm demographic data for all household and immediate family members including: correct legal name and spelling; date of birth; social security numbers; and the relationships to other persons in the referral or case;
 - If the information obtained differs from information previously provided for any person, re-check CPS and criminal history with the newly obtained information.

- If the parent/guardian resides or has resided in another state, contact the child protection and law enforcement agencies with jurisdiction in the parent's/guardian's state and county of residence to request CPS and criminal records clearances.
- Obtain court-orders regarding custody of children active in the referral or case to determine if the court has imposed any restrictions on the parent's/guardian's contact with the child (ren) in the open referral or case.
- The CM SW shall discuss the results of the clearances and any recommendations by the CM SW with his/her SWS.

Documentation

- The CM SW shall immediately document the results of all CPS and law enforcement clearances in CWS/CMS.
- Reasons for not completing any of the clearance procedures above shall also be documented in CWS/CMS.

Social Work Supervisor (SWS) Responsibilities

- The SWS shall ensure that all required clearances have been conducted accurately and completely and that results are documented in CWS/CMS.
- The SWS shall approve any CM SW recommended actions (including recommendations regarding contact, visitation, custody, or services), based on the results of the CPS and criminal clearances, prior to the implementation of the recommendations.