

Becoming a Foster Parent

Foster parents are vital to the overall mission of the Child and Family Services Division. Part of the process to becoming a foster parent are background checks to ensure we are protecting children who have been neglected and/or abused. This brochure explains in detail the type of background checks that are conducted and what may exempt you from becoming a foster parent.

For more information on Child Protective Service background checks, criminal background checks, or about the foster parent licensing process, check out our website at <http://dphhs.mt.gov/CFSD/Fosterparent> or e-mail us at askaboutfostercare@mt.gov.

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What You Need to Know About Child Protective Service Checks and Criminal Background Checks



So you want to become a foster parent. You're excited at the chance to help your community and a child in need. Then you see the licensing paperwork, and two words stick out: background checks. You start to rethink your choice. Questions and worries fill your head: *Why does the state need my fingerprints? I do have a few spots on my record. Maybe I can't be a foster parent after all.*

In order to make sure that you can give a safe home to a foster child, though, the licensing worker will have to do two different background checks.

The first check is to look at your Child Protective Service (CPS) history. The licensing worker looks at any Child Protection history about you in Montana. If you have lived in a state other than Montana, the worker will also look at your history in the states you used to live. **Every adult in your household will also have his/her history checked.** You will be told if the worker finds anything that shows you or any person in your home might be a risk to children.

If any of these come up in the background check, the licensing worker might have reason to deny licensure:

- 1) A substantiation of child abuse/neglect on you or any adult in your household.
- 2) A history that shows that you or any adult living in the home:
 - Had a child in their care adjudicated by a court as a youth in need of care
 - Had a child involuntarily removed from their care
 - Had children placed in foster care
 - Had their caregiver rights to a child terminated

If you have a CPS history, you can talk about your

experience with your licensing worker. Your licensing worker could then bring your case to the Department Regional Administrator, who, after carefully reviewing the conditions of your CPS history, may be able to give a license that lets you foster a specific child.

The second check is of your criminal history. You and any adult household member will be asked to give fingerprints and information on any criminal history so that the licensing worker can make sure that any children placed in your home will be safe. A motor vehicle driving history check will also be done.

If you do have a criminal record that does not have any serious crimes, time passed since the crime and the type of crime are considered before your licensing worker makes a decision about licensing you as a foster parent.

These serious crimes will prevent you from getting a foster parent license:

- Felony crimes involving violence such as homicide; rape; sexual assault; aggravated assault; assault on a minor, officer, or with a weapon; kidnapping; aggravated kidnapping; prostitution, robbery
- Crimes pertaining to children or families, including but not limited to child abuse or neglect, incest, child sexual abuse, ritual abuse of a minor, felony partner or family member assault, child pornography, child prostitution, internet crimes involving children, felony endangering the welfare of a child, felony unlawful transactions with children, or aggravated interference with parent-child contact
- Conviction of abuse, sexual abuse, neglect, or exploitation of an elderly person or a person

with a developmental disability

If these crimes are on your record, but they happened more than five years ago, you could still be licensed:

- Physical assault;
- battery; or
- any drug or alcohol related felony conviction

Having one of the convictions below may not keep you from becoming a foster parent. Each case is looked at by the Division, who, using their best judgment, could approve licensure:

- misdemeanor partner/family member assault
- misdemeanor endangering the welfare of a child
- misdemeanor unlawful transaction with children
- crime involving an abuse of the public trust
- burglary