

- 63.15 What questions should an employer ask?
- 63.16 Who conducts the background investigation and prepares the determination of suitability for employment?
- 63.17 How does an employer determine suitability for employment and efficiency of service?
- 63.18 Are the requirements for Bureau of Indian Affairs adjudication different from the requirements for Indian tribes and tribal organizations?
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- 63.20 What should an employer do if an individual has been charged with an offense but the charge is pending or no disposition has been made by a court?
- 63.21 Are there other factors that may disqualify an applicant, volunteer or employee from placement in a position which involves regular contact with or control over Indian children?
- 63.22 Can an employer certify an individual with a prior conviction or substantiated misconduct as suitable for employment?
- 63.23 What rights does an applicant, volunteer or employee have during this process?
- 63.24 What protections must employers provide to applicants, volunteers and employees?
- 63.25–63.29 [Reserved]

Subpart C—Indian Child Protection and Family Violence Prevention Program

- 63.30 What is the purpose of the Indian child protection and family violence prevention program?
- 63.31 Can both the Bureau of Indian Affairs and tribes operate Indian child protection and family violence prevention programs?
- 63.32 Under what authority are Indian child protection and family violence prevention program funds awarded?
- 63.33 What must an application for Indian child protection and family violence prevention program funds include?
- 63.34 How are Indian child protection and family violence prevention program funds distributed?
- 63.35 How may Indian child protection and family violence prevention program funds be used?
- 63.36 What are the special requirements for Indian child protection and family violence prevention programs?
- 63.37–63.50 [Reserved]

AUTHORITY: 5 U.S.C. 301; 25 U.S.C. 2, 9, 13, 200, 3201 *et seq.*; 42 U.S.C. 13041.

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Subpart A—Purpose, Policy, and Definitions

§ 63.1 Purpose.

The purpose of these regulations is to prescribe minimum standards of character and suitability for employment for individuals whose duties and responsibilities allow them regular contact with or control over Indian children, and to establish the method for distribution of funds to support tribally operated programs to protect Indian children and reduce the incidents of family violence in Indian country as authorized by the Indian Child Protection and Family Violence Prevention Act of 1990, Pub. L. 101–630, 104 Stat. 4544, 25 U.S.C. 3201–3211.

§ 63.2 Policy.

In enacting the Indian Child Protection and Family Violence Prevention Act, the Congress recognized there is no resource more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest, as trustee, in protecting Indian children who are members of, or are eligible for membership in, an Indian tribe. The minimum standards of character and suitability of employment for individuals ensure that Indian children are protected, and the Indian child protection and family violence prevention programs will emphasize the unique values of Indian culture and community involvement in the prevention and treatment of child abuse, child neglect and family violence.

§ 63.3 Definitions.

Bureau means the Bureau of Indian Affairs of the Department of the Interior;

Child means an individual who is not married, and has not attained 18 years of age.

Child abuse includes but is not limited to any case in which a child is dead, or exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, or soft tissue swelling, and this condition is not justifiably explained or may not be the product of an accidental occurrence;