



Administrative Policies and Procedures: 16.20

Subject:	Expedited Custodial Placements
Authority:	TCA 37-5-106, Adoption and Safe Families Act P.L. 96-272, TCA 37-4-201 et seq., Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006 P.L. 109-239.
Standards:	DCS 6-200, 6-502, 6-503 A, 6-504 B, 6-505 B, 6-506 B, 6-509 C, 6-510 C, 12-201, 12-500, and 12-501, PA-AS 3, PA-As 8, PA-FC 10, PA-FC 17, PA-KC 10.
Application:	DCS Child Protective Services, Foster Care and Supervisory Staff
Policy Statement:	
<p>When an expedited custodial placement is in the best interest of a child/youth, the identified placement resource must meet the criteria outlined in this policy. Department of Children's Services (DCS) staff will assist the placement resource in completing the approval process required in Tennessee and the placement resource will be fully approved as a resource parent within 120 days of the child being placed in the home. Private Providers may not make expedited placements of children in DCS custody or guardianship. This policy is applicable to relatives and kin who are prospective placement resources for children under the Interstate Compact on the Placement of Children. Reference the ICPC Practice and Procedure Manual for details in practice for an inter-jurisdictional placements.</p>	
Purpose:	
<p>In order to minimize the trauma of a custodial episode, DCS will seek to place a child with persons whom the child and/or child's family has had a significant relationship when the child cannot safely remain in his or her home. DCS will ensure that these persons are able to provide safety and can meet both the immediate and long-term needs of any child who might be placed with them. The department will provide training to the placement resource family and a complete the approval process as quickly as possible.</p>	
Procedures:	
A. Immediate assessment prior to child placement	<ol style="list-style-type: none">1. When an expedited custodial placement (the placement with a relative or a person with whom the child has had a significant relationship) is in the best interest of a child, DCS staff will secure form CS-0668, Authorization for Release of Information, from all adult household members and initiate an Expedited Placement Assessment process to be completed prior to a child's placement. The Expedited Placement Assessment process will include at a minimum:<ol style="list-style-type: none">a) A face-to-face interview with the placement resource; andb) Form CS-0750, Background Criminal History-Expedited/Emergency Purpose Code X III Name Check;c) A criminal history check or county court records to include local criminal records check from local law enforcement records for all residences of applicant within the immediate six (6) months preceding application. All criminal charges listed in the local criminal history check for which there is

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no final disposition identified in the local criminal history check will be clarified by obtaining additional, official documentation from the local court with jurisdiction, within 24 hours or one business day of the child's placement.

Note: In those cases where placements are attempted after regular business hours, the local criminal records check or county court records check will be completed by the conclusion of the next business day.

DCS/resource parents, as well as any other adult residing in the home, will report any arrest, indictment or criminal conviction of any criminal offense (either misdemeanor or felony).

◆ **No person may be approved who has a felony conviction for the following:**

- i) Child Abuse and Neglect;
- ii) Spousal Abuse;
- iii) A crime against a child or children (including child pornography);
- iv) A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery.

Note: NO waiver may be obtained for pending charges of this type regardless of possible disposition outcome.

2. If learned during the face-to-face interview that there are children living in the household with delinquent behavior/charges, the DCS Regional Administrator or Private Provider Program Director may provide a waiver if a review of the circumstances determines that the applicant could work productively and constructively with children.
3. An applicant or person who has been convicted of any other felony designated as a crime against a person or any felony drug related offense may be granted a waiver if:
 - a) The conviction occurred at least five (5) years prior to the applicant's application; and
 - b) The DCS Regional Administrator and the Executive Director of Child Permanency/designee personally reviews the circumstances of the applicant and determines that the applicant could work productively and constructively with children.
4. Other felony convictions not of the type detailed in items 1 thru 3 above may be eligible for waiver. These applicants may be considered within the following parameters:
 - a) The conviction occurred at least five (5) years prior to the applicant's application;
 - b) The DCS Regional Administrator and the Executive Director of Child Permanency/designee personally reviews the circumstances of the applicant and determines that the applicant could work productively and constructively with children (see waiver process).
5. Prior misdemeanor convictions will be evaluated as to any safety risk presented by the applicant and will not prevent the applicant's approval

or require a waiver unless the offense involves:

- a) A child safety issue; or
- b) A domestic assault or domestic violence conviction.
- c) Specific consideration will be made as to the appropriateness of becoming a resource parent with an excess of five (5) convictions (either misdemeanor or felony).
 - ◆ Applicants with these convictions (a-c) will be considered on a case-by-case basis by the DCS Regional Administrator. Once the relevant staff reviews the circumstances and determines that the potential caregiver could provide quality care DCS form **CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations** will be approved by the appropriate authority and submitted to DCS Central Office for final approval by the appropriate Executive Director.
 - ◆ In situations where there are pending misdemeanor charges and no disposition, a waiver of the pending charges can be reviewed and obtained by the Regional Administrator or Private Provider equivalent role, as long as the pending charge would be eligible for a waiver if it becomes a conviction. Documentation of the approval of the waiver on DCS form **CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations** will be kept in the Resource Home Case file.

Note: All approvals of waivers will be completed prior to any emergency child placements. After business hours or during office closures, these approvals will be approved by the Executive Director of Regional Services, Executive Director of Foster Care and Adoption Services, or the Deputy Commissioner of Protection and Permanency. Once approval of a waiver is granted (either verbal or in writing), a child's placement can be made.

6. A **DCS Records Check** that includes a check of CPS records in TFACTS and a **Social Service Management System (SSMS) check**. This will be completed by the appropriate designated DCS staff member on form **CS-0741, Database Search Results** for all household members age eighteen (18) years or older. This is to determine if there is a past Child Protective Service (CPS) indication identifying the applicant as a substantiated perpetrator of child abuse or neglect.
 - ◆ No applicant will be approved unless a waiver is granted as outlined in DCS Policy [14.24, Child Protective Services Background Checks](#).
 - ◆ Specific information related to CPS findings and records involving an applicant will be maintained in the resource parent file and addressed within the home study.
 - ◆ This waiver may only be approved the Executive Director of the Office of Child Permanency or his or her designee. Form **CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations**,

will be approved and properly documented as outlined in the collateral document, within three (3) business days.

Note: DCS records checks after-hours and weekends only. The Central Intake phone number is 1-877-237-0004. The local field staff will be responsible for these checks during business hours.

7. An Internet Records Clearance will be completed for all household members age eighteen (18) years or older. This search will be conducted taking into account current, maiden and any other previous legal names. This documentation will include the following:
 - ◆ A [National Sexual Offender Registry Clearance](#)
 - ◆ A [Tennessee Department of Health Abuse Registry Clearance](#)
 - ◆ Central Intake will also perform the internet records clearance after-hours and weekends only. The local field staff will be responsible for this clearance during business hours.
8. The placement resource and all adult members of the household will agree to be scheduled for their fingerprinting immediately after the expedited custodial placement is made. Fingerprinting will be completed for expedited placement resources within 15 days. Failure to comply with this requirement will result in child /children's removal from the placement.
9. The placement resource and all members of the household will agree to be scheduled for a medical examination immediately after the expedited custodial placement is made (for custodial placements only).
 - ◆ Two (2) persons, who do not reside in the same home as the placement resource, will be contacted for a personal reference check prior to the placement. (Reference checks that are verbal will be documented and maintained in the case file).
 - ◆ Staff will also make a home visit prior to placement to verify that the residence meets the standards outlined in section F of DCS Policy [16.4, Resource Home Approval](#).
 - ◆ Staff will obtain an emergency response plan; form **CS-0871, Resource Home Disaster Plan**, from the resource placemen for custodial children only.
10. All findings identified because of these checks will be documented on form **CS-0687, Background Check History and IV-E Eligibility Checklist**, with results attached. This documentation will be reported in the home study.
11. All information gathered during the expedited custodial placement assessment will be documented on form **CS-0682, Expedited Placement Assessment Summary**, and submitted for approval within 48 hours of making an expedited custodial placement.
12. An Expedited Placement Assessment conducted by the DCS Regional staff on a parent or relative located in TN pursuant to ICPC referral is to be documented on form **CS-0682, Expedited Placement Assessment Summary** with all required decisions and signatures identified in Section B. of this Policy. Completion of the Expedited Placement Assessment process and form **CS-0682, Expedited Placement Assessment Summary** along with

	<p>entry into TFACTS and establishment of a DCS resource home file is required within 20 or 30 working days of the ICPC referral entry date in TFACTS and is required prior to placement of a child into the home.</p> <p>13. Authorization for the placement of a child into TN pursuant to the ICPC is the responsibility of the TN ICPC State Office. The decision to approve or deny the placement is based on the recommendations submitted by the DCS Region in response to this policy. Refer to the ICPC Practice and Procedure Manual for details.</p>
B. Expedited custodial placement approval	<ol style="list-style-type: none"> 1. If the interview, home visit, reference and records check are satisfactory according to policy standards, the Regional Administrator/Designee may authorize the expedited custodial placement. Form CS-0682, Expedited Placement Assessment Summary, will follow the initial approval within 48 hours. An approved form CS-0682 and form CS-0626, Expedited Child Placement Contract, authorizes the expedited custodial placement up to 120 days. 2. All results of the criminal background check and form CS-0750, Background Criminal History-Expedited/Emergency Purpose Code X III Name Check is completed on the resource, all results of those checks will be attached to form CS-0682, Expedited Placement Summary.
C. Disclosure to expedited custodial placement resources	<ol style="list-style-type: none"> 1. Within 48 hours of accepting a child/youth into their home, the placement resource will agree to and sign form CS-0553, DCS Discipline Policy. For ICPC, the form CS-0553, DCS Discipline Policy is to be disclosed, agreed to by the resource parents, signed and attached to form CS-0682, Expedited Placement Assessment Summary, within the 20 or 30 working days of the ICPC referral entry date in TFACTS. 2. Prior to or no later than at the time of an expedited custodial placement, the placement resource family will sign form CS-0626, Placement Contract for Expedited Placements, which will inform them of the following: <ol style="list-style-type: none"> a) The home will <u>not</u> receive a board payment reimbursement from DCS nor an out-of-state agency pursuant to the ICPC until the expedited resource home has met all other approval requirements outlined in DCS Policy <u>16.4, Resource Home Approval</u>. b) The family will have one hundred twenty (120) days of the expedited custodial placement to complete all of the requirements outlined in DCS Policy <u>16.4, Resource Home Approval</u>, including the completion of PATH training. <p>A Child and Family Team Meeting will be held at least five (5) days before the termination date on the expedited placement contract if the resource home approval process cannot be completed prior to the expiration of the expedited placement contract. The Family Service Worker (FSW) will convene this meeting.</p> <p>◆ If the team decides the placement will continue, the FSW will make a request to the Office of Foster Care and Adoption for an extension. This request will be made in the form of a memo on DCS letterhead that includes why the home has not met the 120 day time frame and</p>

	<p>the expected date that the home will be fully approved. This memo will include signature/approval of the Regional Administrator or designee.</p> <ul style="list-style-type: none"> c) Should a delay in timely completion of all the resource home approval requirements be beyond the control of the expedited resource home family <u>and</u> an extension has been granted, the a member of the local Placement Services Division will complete form CS-0493, Standard Claim Form, in order to provide the family with the approved state funded rate. d) The expedited resource family will cooperate/collaborate with DCS and other State's child welfare agency to develop and implement the permanency plan and comply with the department's policies and Standards of Professional Practice as long as the child in their home is in the legal custody/guardianship of DCS or another State's child-welfare agency. e) DCS will assist eligible families in applying for Family First Grants through the Tennessee Department of Human Services, as outlined in DCS Policy <u>16.59, Disclosure of Legal Options and Available Services for Relative Caregivers</u>. At the time of expedited placement, families will be linked with additional support services as needed (food, clothing, etc.). <ol style="list-style-type: none"> 3. All expedited resource families will receive form CS-0544, Resource Home Placement Checklist, at the time of placement. 4. If the expedited resource family is related to the child, they will also receive a Guide for Relative Caregivers: Options and Available Services brochure and sign form CS-0660, Disclosure Statement (Options/Services Available to Relatives). 5. If at anytime, during the expedited placement assessment, it is determined that a family cannot meet the basic requirements for resource home approval, the family will be notified of the decision and an alternative placement arrangement will be made for the child if the child remains in DCS custody.
D. Additional disclosure to expedited ICPC placement resources	<ol style="list-style-type: none"> 1. A Tennessee resource family who has been approved under this policy for expedited placement of a child, who is under the jurisdiction of another state and is subject to compliance with the ICPC, is not certified as eligible for the Federal Title IV-E reimbursement until all requirements of this policy and DCS Policy <u>16.4, Resource Home Approval</u>, have been met. <ul style="list-style-type: none"> ◆ In ICPC cases where the placement resource resides in Tennessee and is a parent or stepparent to the child, the PATH training requirement outlined in DCS Policy <u>16.4, Resource Home Approval</u>, is waived; however all other requirements will be fulfilled. 2. Responsibility for planning for the child, which includes the responsibility for the determining medical and financial maintenance eligibility for the child and the potential placement resource, remains with the sending state. Tennessee DCS is not responsible for issuing financial or medical assistance to a child who is under the jurisdiction of another State. 3. Once placement under the ICPC has been approved, Tennessee DCS will assist the child and the resource family to access any federally authorized

	funding or services for which the child and/or resource family is eligible.
E. Documentation	<p>Documentation for all expedited placements will contain at least the following:</p> <ol style="list-style-type: none"> 1. Prior to the placement of a child/youth in the home: <ol style="list-style-type: none"> a) A home visit to the home where the child will be placed; b) Form CS-0668, Authorization for Release of Information; Form CS-0750, Background Criminal History- Expedited/Emergency Purpose Code X III Name Check; c) A completed form CS-0687, Background Check History and IV-E Eligibility Checklist; d) Two reference checks, which may be attained verbally and documented by author of the expedited placement assessment summary. 2. Prior to or no later than at the time of placement of a child/youth in the home: <ol style="list-style-type: none"> a) Form CS-0626, Expedited Child Placement Contract b) Form CS-0544, Resource Home Placement Checklist c) Form CS-0660, Disclosure Statement (Options/Services Available to Relatives) d) Form CS-0691, Fingerprint Card Information e) Form CS-0553, DCS Discipline Policy 3. Prior to or no later than within 48 hours of the placement of a child/youth in the home: <ol style="list-style-type: none"> a) Form CS-0675, Resource Home Cover Sheet; and b) Completed form CS-0682, Expedited Placement Assessment Summary. 4. Families will also be provided with form CS-0678, Resource Parent Medical Report and, if applicable, form CS-0427, Child's Medical Record to have available for their medical examination appointment. 5. Resource Homes with Unvaccinated Children <ul style="list-style-type: none"> ◆ Children under the age of 5 years old will not be placed in resource homes with unvaccinated children. Children age 5 years old and older that are up-to-date with their immunizations can be placed in resource homes with unvaccinated children. ◆ Any child with a compromised immune system will not be placed in a resource home with unvaccinated children. ◆ Cases involving kinship care will be decided on a case by case basis. ◆ Before placing any child in a resource home with unvaccinated children, consult with the child's PCP to make sure the child can safely be placed with the family.

F. Case Transfer	During the course of the home study for a DCS resource home, any change of circumstance which triggers a move of that home to another agency, county or region, DCS Policy <u>31.3, Case Transfer Guidelines Between Regions, Agencies, and Facilities</u> and the <u>Protocol for Re-Activation or Re-Classification of Resource Homes</u> will be followed.
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Forms:	<p><u>CS-0668, Authorization for Release of information</u>, (for all adults in the home)</p> <p><u>CS-0687, Background Check History and IV-E Eligibility Checklist</u> (for all adults in the home)</p> <p><u>CS-0675, Resource Home Cover Sheet</u></p> <p><u>CS-0544, Resource Home Placement Checklist</u></p> <p><u>CS-0553, Discipline Policy</u></p> <p><u>CS-0660, Disclosure Statement (Options/Services Available to Relatives)</u></p> <p><u>CS-0691, Fingerprint Card Information</u> (for all adults in the home)</p> <p><u>CS-0682, Expedited Placement Assessment Summary</u></p> <p><u>CS-0678, Resource Parent Medical Report</u></p> <p><u>CS-0427, Child's Medical Record</u> (when applicable)</p> <p><u>CS-0741, Data Base Search Results</u></p> <p><u>CS-0750, Background Criminal History- Expedited/Emergency Purpose Code X III Name Check</u></p> <p><u>CS-0871, Resource Home Disaster Plan</u></p> <p><u>CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations</u></p> <p><i>Note: Private Provider Agencies may use equivalent forms, provided the content of the forms capture the content of the forms listed above.</i></p>
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Collateral Documents:	<p><u>The Interstate Compact on the Placement of Children Practice and Procedure Manual</u></p> <p><u>Protocol for Re-Activation or Re-Classification of Resource Homes</u></p> <p>Results from Police Records Checks</p> <p>Personal References (May be a documentation of a verbal statement)</p>
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Glossary	
Significant Relationship:	A relationship between a child and/or family and someone who is related by blood, marriage, or in some other way that allows a strong bond.