



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
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 person or family (the placement resource) must meet the minimum criteria outlined in this policy and have their legal options explained to them. Department of Children's Services (DCS) staff persons must assist the placement resource in completing the approval process required of all perspective resource parents in Tennessee. Subsequently, the placement resource must be fully approved as a resource parent in Tennessee 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.</p> <p>The policy and practice described herein applies to parents, relatives and other resource families in TN who are seeking placement and permanency for children in the custody/guardianship or jurisdiction of another state pursuant to the Interstate Compact on the Placement of Children. Due to the nature of an inter-jurisdictional placement, specific details regarding practice are identified in the ICPC Practice and Procedure Manual.</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 must 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 immediate 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 must secure form CS-0668, Authorization for Release of Information, from all adult household members and conduct an Expedited Placement Assessment. The assessment must be completed prior to a child's placement. This assessment must include at a minimum: <ol style="list-style-type: none"> a) A face-to-face interview with the placement resource; and b) Form CS-0750, Background Criminal History-Expedited/Emergency

Purpose Code X III Name Check ;

- c) A criminal history check 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 no final disposition identified in the local criminal history check must 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.

DCS/Private Provider resource parents, as well as any other adult residing in the home, must 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: In situations where there are pending charges of this type with no disposition, approval or disapproval may be withheld until the charges have been resolved.

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 hiring; and
 - b) The DCS Regional Administrator or Private Provider Program Director 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 or Private Provider Program Director 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).

- c) The DCS Regional Administrator or Private Provider Program Director 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 may be waived if:-

- a) The offense does not relate to a domestic violence or child safety issue;
- b) The DCS Regional Administrator or Private Provider Program Director personally reviews the circumstances and determines that the potential caregiver could provide quality care for the identified child or youth.
- c) Form **CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Indications**, must be approved and properly documented as outlined in the collateral document.

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.

- d) Misdemeanor offenses related to traffic violations, except for DUI offenses, are not required to be waived. However, such offenses must be evaluated as to any safety risk associated with resource parent responsibility.
- e) A **DCS Records Check** that includes a check of CPS records in TFACTS and a **Social Service Management System (SSMS) check**. This must be completed by the appropriate designated DCS staff member on form **CS-0741, Database Search Results**. This is to determine if there is a past Child Protective Service (CPS) indication identifying the applicant as an indicated 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 must 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 Safety or his or her designee. Form **CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Indications**, must 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.

6. All findings identified because of these checks must be documented on form **CS-0687, Criminal History and IV-E Eligibility Checklist**, with results attached. This documentation must be reported in the home study.
- a) An Internet Records Clearance must be completed for all household members age eighteen (18) years or older. This search must be conducted taking into account current, maiden and any other previous legal names. This documentation must include the following:
- ◆ A **National Sexual Offender Registry Clearance**-The Internet Web site address for a national search is: <http://www.nsopw.gov>
 - ◆ A **Tennessee Department of Health Abuse Registry Clearance** - The website address is: <https://health.state.tn.us/AbuseRegistry/default.aspx>
 - ◆ 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.

Note: Any private provider agency accessing an internet service to complete the required background checks for potential resource parents and/or other adult household members is responsible for assuring that that the provider being utilized accesses the internet searches listed above, at a minimum. Doing so will preclude the need for the provider to complete each individual internet search.

Failure to ensure and verify that the chosen internet service uses the exact sites listed above for each check will result in that check being considered invalid. This could potentially cause a home to be identified as noncompliant and result in monetary penalties.

- b) The placement resource and all adult members of the household must agree to be scheduled for their fingerprinting immediately after the expedited custodial placement is made. Finger printing must 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.
- c) The placement resource and all members of the household must 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, must 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 must 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](#).

	<ul style="list-style-type: none"> ◆ Staff must obtain an emergency response plan; form CS-0871, Resource Home Disaster Plan, from the resource placemen for custodial children only. <ol style="list-style-type: none"> 7. 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. 8. An Expedited Placement Assessment conducted 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 approval process identified in Section B. of this Policy completed within 20 or 30 days of the referral date. 9. No placement of a child pursuant to the ICPC may be made until approval for that placement has been issued through the TN ICPC State Office. Refer to the ICPC Practice and Procedure Manual for details.
<p>B. Expedited custodial placement approval</p>	<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, must 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 check should be attached to form CS-0682, Expedited Placement Summary.
<p>C. Disclosure to expedited custodial placement resources</p>	<ol style="list-style-type: none"> 1. Within 48 hours of accepting a child/youth into their home, the placement resource must 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 days of the referral date. 2. Prior to or no later than at the time of an expedited custodial placement, the placement resource family must 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 16.4, Resource Home Approval. 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 16.4, Resource Home Approval, including the completion of PATH training. <ul style="list-style-type: none"> ◆ A Child and Family Team Meeting must be held at least five (5) days before the termination date on the expedited placement contract if the

	<p>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> <ul style="list-style-type: none"> ◆ If the team decides the placement should continue, the FSW must 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 the expected date that the home will be fully approved. This memo must include signature/approval of the Regional Administrator or designee. <p>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 should complete form CS-0493, Standard Claim Form, in order to provide the family with the approved state funded rate.</p> <p>d) The expedited resource family must 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.</p> <p>e) DCS will assist eligible families in applying for Family First Grants through the Tennessee Department of Human Services, as outlined in DCS Policy 16.59, Disclosure of Legal Options and Available Services for Relative Caregivers. At the time of expedited placement, families will be linked with additional support services as needed (food, clothing, etc.).</p> <p>3. All expedited resource families must receive form CS-0690, Resource Home Study and Family Update Checklist, to make them aware of the documentation required for approval and form CS-0544, Resource Home Placement Checklist, at the time of placement.</p> <p>4. If the expedited resource family is related to the child, they must also receive a Guide for Relative Caregivers: Options and Available Services brochure and sign form CS-0660, Disclosure Statement (Options/Services Available to Relatives).</p> <p>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 must be notified of the decision and an alternative placement arrangement will be made for the child if the child remains in DCS custody.</p>
<p>D. Additional disclosure to expedited ICPC placement resources</p>	<p>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 16.4, Resource Home Approval, have been met.</p>

	<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 16.4, Resource Home Approval, is waived; however all other requirements must be fulfilled. <ol style="list-style-type: none"> 2. Responsibility for planning for the child, which includes the responsibility for the determining medical and financial maintenance eligibility for the child and the prospective 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.
<p>E. Documentation</p>	<p>Documentation for all expedited placements must 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; c) Form CS-0750, Background Criminal History- Expedited/Emergency Purpose Code X III Name Check; d) A completed form CS-0687, Criminal History and IV-E Eligibility Checklist; e) 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-0690, Resource Home Study and Family Update Checklist, and b) Completed form CS-0682, Expedited Placement Assessment Summary. 4. Families must 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.

Forms:	<p><u>CS-0668, Authorization for Release of information, (for all adults in the home)</u></p> <p><u>CS-0687, Criminal History and IV-E Eligibility Checklist (for all adults in the home)</u></p> <p><u>CS-0690, Resource Home Study and Family Update Checklist</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 (for all adults in the home)</u></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 (when applicable)</u></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 Indications</u></p> <p><u>Note: Private Provider Agencies may use equivalent forms, provided the content of the forms capture the content of the forms listed above.</u></p>
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Collateral Documents:	<p><u>The Interstate Compact on the Placement of Children Practice and Procedure Manual</u></p> <p>Results from Police Records Checks</p> <p>Personal References (May be a documentation of a verbal statement)</p> <p><u>Relative Caregivers Program and Operations Manual</u></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.