



Community-Based Child Abuse Prevention

Policy and Procedure Manual

State Fiscal Year 2014-2015



Effective Date: 08/15/14



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Introduction

The key Federal legislation addressing prevention in child abuse and neglect is the Child Abuse Prevention and Treatment Act (CAPTA) which was originally enacted in 1974. This Act has been amended several times in the last 37 years and was most recently amended and reauthorized on December 10th, 2010, by the CAPTA Reauthorization Act of 2010 (P.L. 111-320).¹

In Tennessee, services for the prevention of child abuse began in 1984. To help finance prevention services, the state legislature passed Public Chapter 930 in 1984. The law enacted a marriage license tax to fund both family violence shelters and services to prevent child abuse and neglect before it occurs. Since then, Tennessee has adopted other programs and initiatives including the Federally funded Community Based Child Abuse Prevention, or CBCAP, programs. CBCAP programs were established by Title II of the Child Abuse Prevention and Treatment Act Amendments of 1996. CBCAP refers to specific types of child abuse prevention programs that exist in every state in the U.S.²

The purposes of the CBCAP program are:

1. to support community-based efforts to develop, operate, expand, enhance, and coordinate initiatives, programs, and activities to prevent child abuse and neglect and to support the coordination of resources and activities to better strengthen and support families to reduce the likelihood of child abuse and neglect;
2. and to foster understanding, appreciation and knowledge of diverse populations in order to effectively prevent and treat child abuse and neglect.³

CBCAP Policies and Procedures are based on several philosophical tenets:

1. Children have a right to grow and develop in a safe environment.
2. Most parents want to be good parents and desire to preserve the family unit.
3. Families who need support of community resources to achieve and maintain a healthy environment for their children have a right to and are encouraged to access these resources to support their efforts.

The Department of Children's Services and the service provider agencies across the state have a commitment to create partnerships to administer child abuse prevention services to families and children in need of such services. The goal of all child abuse prevention service providers is to expand the options available to families to nurture the growth, development, and safety of their children.

¹ National Resource Center for Community-Based Child Abuse Prevention, *CBCAP*, <http://friendsnrc.org/cbcap>

² <http://friendsnrc.org/cbcap>

³ U.S. Department of Health and Humans Services, Administration on Children, Youth and Families, Office of Child Abuse and Neglect, *Community-Based Child Abuse Prevention Program Instruction*, February 25, 2013, ACYF-CB-PI-13-02

CBCAP Management

The CBCAP Program is managed by a designated “State Lead”. Each year, the Governor designates a lead entity to administer the funds for the implementation of community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect.⁴ For Tennessee, the Governor has selected the Department of Children’s Services as the lead entity. From within DCS, a State Lead is selected. As of SFY2015, the State Lead is:

Brian Stephens
436 6th Avenue North
Nashville, TN 37243
615.253.1114
brian.stephens@tn.gov

Additionally, the CBCAP program is managed by an Advisory Committee who meets regularly to advise and support the program. Members are selected from an array of child and family agencies, departments and programs from across Tennessee and also include parents. They bring important resources and oversight, maintain strong connections to the community and other stakeholders and funnel important information and supports for the program.

Fundable Prevention Activities

States are involved in a number of prevention activities, some of which fall under CBCAP funding and some that fall under other Federal programs. CBCAP includes activities that work with the community and families to prevent child abuse and neglect. Examples include public awareness campaigns, home visiting programs for new parents, diversion programs for at-risk families, and parent support groups. Most professionals agree that there are three levels of prevention services; primary prevention, secondary prevention, and tertiary prevention. Primary and secondary are allowable activities under CBCAP funding, while Tertiary activities are not funded under CBCAP dollars.

1. **Primary Prevention:** Consists of activities that are targeted toward the community at large. These activities are meant to impact families prior to any allegations of abuse and neglect. Primary prevention services include public education activities, parent education classes that are open to anyone in the community, and family support programs. Primary prevention can be difficult to measure because you are attempting to impact something before it happens, an unknown variable. This type of activity is a focus of CBCAP programs.
2. **Secondary Prevention:** Consists of activities targeted to families that have one or more risk factors including families with substance abuse, teen parents, parents of special need children, single parents, and low income families. Secondary prevention services include parent education classes targeted for high risk parents, respite care for parents of a child with a disability, or home visiting programs for new parents.
3. **Tertiary Prevention:** Consists of activities targeted to families that have confirmed or unconfirmed child abuse and neglect reports. These families have already demonstrated the need for intervention,

⁴ <http://friendsnrc.org/cbcap>

either with or without court supervision. These are families that qualify for services under child welfare programs and are not a focus of CBCAP programs.⁵

CBCAP programs are authorized to fund child abuse prevention programs in their service area that provide a multitude of services and supports. These services and programs can include:

1. Comprehensive support for parents
2. Promote the development of parenting skills
3. Improve family access to formal and informal resources
4. Support needs of parents with disabilities through respite or other activities
5. Provide referrals for early health and development services
6. Promote meaningful parent leadership

Programs can also finance the development of a continuum of preventive services through public-private partnerships, financing the start-up, maintenance, expansion, or redesign of child abuse prevention programs, maximizing funding through leveraging funds, and financing public education activities that focus on the promotion of child abuse prevention.⁶

The Tennessee CBCAP program funds two child abuse prevention programs through the 2015 state fiscal year:

1. **Darkness to Light's Stewards of Children:** An evidence-based sexual abuse prevention training that educates adults to prevent, recognize, and react responsibly to child sexual abuse, and motivates them to courageous action. The Stewards of Children program is designed for organizations that serve children and youth, and any/all adults interested in protecting children.⁷ For more information, visit: www.d2l.org/site/c.4dICIJOkgClSE/b.6035035/k.8258/Prevent_Child_Sexual_Abuse.htm.
2. **Nurturing Parenting Programs:** A family-centered initiative designed to build nurturing parenting skills as an alternative to abusive and neglecting parenting and child-rearing practices. The long term goals are to prevent recidivism in families receiving social services, lower the rate of multi-parent teenage pregnancies, reduce the rate of juvenile delinquency and alcohol abuse, and stop the intergenerational cycle of child abuse by teaching positive parenting behaviors.⁸ For more information, visit: <http://www.nurturingparenting.com/>.

⁵ National Resource Center for Community-Based Child Abuse Prevention, *Child Abuse and Neglect Prevention*, <http://friendsnrc.org/prevention> (October 31, 2013)

⁶ <http://friendsnrc.org/cbcap>

⁷ Darkness to Light, *About Stewards of Children*, <http://oldsite.d2l.org/prevention/stewards-of-children/about-curriculum.asp> (October 31, 2013)

⁸ Nurturing Parenting, *What Are Nurturing Programs?*, <http://nurturingparenting.com/NPLLevelsPrevent.html> (October 31, 2013)

Agency Program Requirements

The Department of Children's Services, in compliance with State and Federal laws and in consultation with provider agencies and program staff, set forth these requirements for agencies that operate a Child Abuse Prevention program.

Agencies must:

1. Have a logic model that informs the program, which includes the research evidence on which service delivery is based;
2. Define and measure program outcomes;
3. Provide a framework within which quality child abuse prevention services may be organized, delivered, and evaluated;
4. Define and describe components of the service; and
5. State requirements which must be met during the service delivery process.⁹

Use of Funds

Funds should be used to support primary prevention (a.k.a., universal) programs and strategies which are available to all families, as well as secondary (a.k.a., targeted) prevention efforts, which target children and families at risk for abuse or neglect. CAPTA provides that funds made available to States under the CBCAP program must be used for:

1. Developing, operating, expanding, and enhancing community-based, and prevention focused programs and activities designed to strengthen and support families to prevent child abuse and neglect that are accessible, effective, and culturally appropriate, and build upon existing strengths that:
 - a) Offer assistance to families;
 - b) Provide early, comprehensive support for parents;
 - c) Promote the development of parenting skills, especially in young parents and parents with very young children;
 - d) Increase family stability;
 - e) Improve family access to other formal and informal resources and opportunities for assistance available within communities, including access to such resources and opportunities for unaccompanied homeless youth;

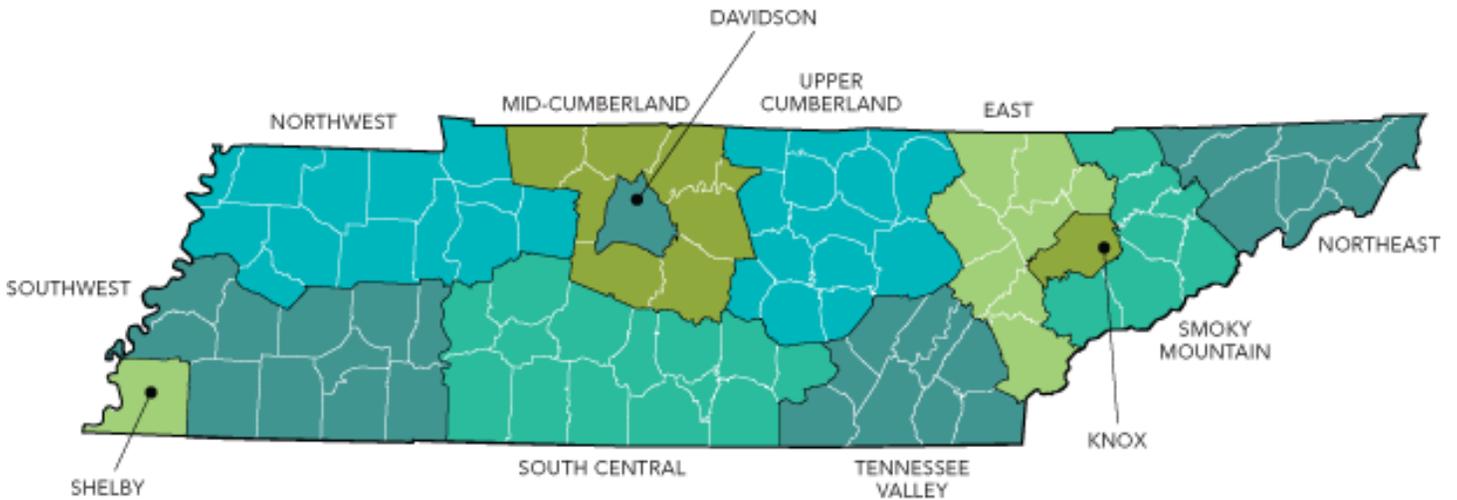
⁹ Rules of the Tennessee Department of Children's Services Social Services Division, Chapter 0250-7-5, *Child Abuse Prevention Standards*, March 2013

- f) Support the additional needs of families with children with disabilities through respite care and other services;
 - g) Demonstrate a commitment to involving parents in the planning and program implementation of the lead agency and entities carrying out local programs funded under this Title, including meaningful involvement of parents of children with disabilities, parents with disabilities, racial and ethnic minorities, and members of underrepresented and underserved groups; and
 - h) Provide referrals to early health and developmental services.
2. Fostering the development of a continuum of preventive services for children and families, including unaccompanied homeless youth, through State and community-based collaborations and partnerships, both public and private;
 3. Financing the start-up, maintenance, expansion, or redesign of specific family resource and support program community-based child abuse and neglect prevention program services (such as respite care services, child abuse and neglect prevention activities, disability services, mental health services, substance abuse treatment services, domestic violence services, housing services, transportation, adult education, home visiting and other similar services) identified by the inventory and description of current services required under section 204(a)(3) as an unmet need, and integrated with the network of community-based family resource and support child abuse and neglect prevention program to the extent practicable given funding levels and community priorities;
 4. Maximizing funding through leveraging of funds for the financing, planning, community mobilization, collaboration, assessment, information and referral, startup, training and technical assistance, information management and reporting, reporting and evaluation costs for establishing, operating, or expanding community-based and prevention-focused, programs and activities designed to strengthen and support families to prevent child abuse and neglect; and
 5. Financing public information activities that focus on the healthy and positive development of parents and children and promotion of child abuse and neglect prevention activities.¹⁰

¹⁰ ACYF-CB-PI-13-02

Geographical Funding Allocations

Funding is allocated among the twelve state regions based on a combination of child population and child abuse statistics. A program that can serve more than one region must submit separate proposals for each region. The state and federal grant funding limit for currently funded programs is \$50,000.00 Budget proposals must adhere to the following formula: No more than eighty (80) percent of the total budget is grant dollars. No less than twenty percent of the total budget must be an agency match.



Davidson	Davidson
East	Anderson, Campbell, Loudon, Monroe, Morgan, Roane, Scott, Union
Knox	Knox
Mid-Cumberland	Cheatham, Montgomery, Robertson, Rutherford, Sumner, Trousdale, Williamson, Wilson
Northeast	Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington
Northwest	Benton, Carroll, Crockett, Dickson, Dyer, Gibson, Henry, Houston, Humphreys, Lake, Obion, Stewart, Weakley
Shelby	Shelby
Smokey Mountain	Blount, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Sevier
South Central	Bedford, Coffee, Franklin, Giles, Grundy, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne
Southwest	Chester, Decatur, Fayette, Hardeman, Hardin, Haywood, Henderson, Lauderdale, Madison, McNairy, Tipton
Tennessee Valley	Bledsoe, Bradley, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, Sequatchie
Upper Cumberland	Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Pickett, Putnam, Smith, Van Buren, Warren, White

Target Population for CBCAP Programs

CBCAP programs should have activities available to the general population such as public awareness and education about preventing child abuse and neglect. In addition, programs should also target services to vulnerable families that are at risk of abuse or neglect. These families include:

1. Parents (all, new, teens, etc.)
2. Parents and/or children with disabilities
3. Racial and ethnic minorities
4. Members of underserved or underrepresented groups
5. Fathers
6. Homeless families and those at risk of homelessness
7. Unaccompanied homeless youth
8. Adult former victims of child abuse and neglect or domestic violence¹¹

Definition of Disability for CBCAP Programs

The definition of child with a disability in CAPTA refers to Individuals with Disabilities Education Improvement Act Sec. 602(3) which is Part B:

Child with a disability.

1. In general, the term 'child with a disability' means a child;
 - a) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as 'emotional disturbance'), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and
 - b) who, by reason thereof, needs special education and related services.
2. Child aged 3 through 9, the term 'child with a disability' for a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the State and the local educational agency, include a child;
 - a) experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in 1 or more of the following areas: physical development;

¹¹ <http://friendsnrc.org/cbcap>

cognitive development; communication development; social or emotional development; or adaptive development; and

b) who, by reason thereof, needs special education and related services.

And from Part C, Section 632(5) which is Infant or toddler with a disability.--The term `infant or toddler with a disability;

1. means an individual under 3 years of age who needs early intervention services because the individual;

a) is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures in 1 or more of the areas of cognitive development, physical development, communication development, social or emotional development, and adaptive development; or

b) has a diagnosed physical or mental condition that has a high probability of resulting in developmental delay; and

2. may also include, at a State's discretion;

a) at-risk infants and toddlers; and

b) children with disabilities who are eligible for services under section 619 and who previously received services under this part until such children enter, or are eligible under State law to enter, kindergarten or elementary school, as appropriate, provided that any programs under this part serving such children shall include—

i. an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills; and

ii. a written notification to parents of their rights and responsibilities in determining whether their child will continue to receive services under this part or participate in preschool programs under section 619.¹²

Child Abuse Prevention Agency License and DCS Oversight

In addition to the extensive criteria in the Announcement of Funds, Child Abuse Agencies must also be licensed by the Department of Children’s Services (Tennessee Code Annotated 71-3-501) to receive funding for their programs. The required license for this service is Child Abuse Prevention Agency. Child Abuse Prevention Agency (defined as “child abuse agency” in the law) shall mean and include any person, corporation, or agency which undertakes to or does provide any services of any nature, whatsoever, including but not limited to emergency shelter care, homemaker services, or parent training services designed to prevent or treat child abuse neglect or to protect children from child abuse or neglect. This shall not apply, however, to a person licensed by the State of Tennessee to practice medicine or psychology while in the course of such practice, nor shall it apply to any school hospital, mental health center, or similar institution

¹² <http://friendsnrc.org/cbcap>

operated or approved by an agency or Department of the State of Tennessee. Nor shall it apply to any church or church-related organization. State licensing regulations are developed by an interdisciplinary committee and promulgated through the Tennessee legislature and Secretary of State's office in nine different categories.

Staff from the Department of Children's Services, Office of Risk Management, Program Accountability Review (PAR), conduct on-site program reviews of the Child Abuse Prevention contracts. Internal Audit may also conduct on-site fiscal reviews. A monitoring review is substantially less in scope than an audit. DCS Internal Audit may audit the financial statements accordingly and express an opinion or any assurance regarding the accuracy of the agency's financial statements.

Registration of Sales and Use Tax

The Grantee shall be registered with the Department of Revenue for the collection of Tennessee sales and use tax. This registration requirement is a material requirement of the CBCAP contract with the Department of Children's Services. However, most, if not all, contract agencies providing CBCAP programs are exempt from collecting sales and use tax due to their non-profit status. A record of this exemption can be collected through email correspondences with the TN Department of Revenue.

Contract agencies will have to submit an email to tn.revenue@tn.gov and include the Grantee's name, mailing address and a detailed explanation of service(s) provided to the State of Tennessee under the CBCAP grant. The TN Department of Revenue will respond informing the Grantee they are not required to obtain a Sales and Use Tax account. An e-mail reply will show the Grantee has contacted the Department of Revenue and will serve to fulfill the agency's requirement to present a Certificate of Registration for the collection of Sales and Use Tax.

kidcentral tn Requirements

Designed by the Tennessee's Children's Cabinet, kidcentraltn.com is Tennessee's "one-stop-shop" for families to connect with important information and resources provided by State departments and state-funded programs such as Tennessee's CBCAP programs. Kidcentraltn.com supplies families a variety of important information on health, education, development and support. Additionally, kidcentraltn.com features a comprehensive directory of state operated and funded services featuring a built-in, simplified search process. This service makes it easier for families and child welfare agencies to connect with CBCAP Grantees. In an effort to support this initiative, Grantees are required to publish and maintain program profiles as well as promote [kidcentral tn](http://kidcentraltn.com). Specific requirements involving [kidcentral tn](http://kidcentraltn.com) are outlined in the contract document and are as follows:

1. Under the guidance of their Gatekeeper, the Grantee shall create and maintain an agency program profile in the designated state services directory located at www.kidcentraltn.com. The Grantee may have more than one service which is appropriate for the directory. The Gatekeeper will provide instructions for which services should be included in the directory. The Grantee shall update its agency program profile(s) in the designated state services directory at least every six months. In addition, The Grantee shall update its agency program profile(s) within ten business days of any change in information.

For the purposes of this section, Gatekeeper shall be the person designated by State to do the following tasks:

- a) invite the Grantee to create a profile;
- b) review, approve, and publish program profiles created by the Grantee; and
- c) monitor update activity.

Agencies may have additional, non-state funded services that are helpful to families. Within the state-funded service listing located at kidcentraltn.com, the agency may list its other services for children or families. The agency should include the name of the service and a few words that describe it, if necessary. The agency should use language that distinguishes those additional services from the primary listing and should provide a main phone number for families to get more information.

For example:

Other services provided by this agency are:

- *Parent Support Groups- for parents of children ages 0-3;*
- *Outreach/Education- classes that teach basic parenting skills.*

Call this number to learn about these other services: 888-555-5555.

2. If the Grantee has a website, they must link to www.kidcentraltn.com from an appropriate section of that website. If the Grantee would like to link to specific features of the kidcentral tn website such as the My Profile, Mobile App, Facebook, or State Services Directory features, State can provide specific copy, links, and images for those features.
3. If Grantee uses State funds to develop or distribute materials (print or electronic) intended for parents, families, children, or professionals working directly with children or families, Grantee must place the kidcentral tn logo on those materials. Examples of covered materials would include brochures, flyers, posters, and promotional postcards or mailers. State provides the kidcentral tn logo at the following link <http://tn.gov/generalserv/ba09p/>. If Grantee would like to apply the full kidcentral tn brand to print materials such as brochures, flyers, posters, or postcards, State also provides those templates at the following link <http://tn.gov/generalserv/ba09p/>.

This kidcentral tn logo requirement does not apply to materials that have already been printed or designed. This kidcentral tn logo requirement does not apply to materials that originate from the federal government, national organizations, or other groups where Grantee serves as a pass through of those materials. The kidcentral tn logo should not be applied to individualized correspondence or individualized materials which are intended for a single family or professional and should not be applied to materials where the subject is purely administrative, such as materials about rules, sanctions, regulations, or enforcement.

Documentation of Family Services

The agency must maintain adequate documentation, including the following. Such records must be available for inspection, upon reasonable notice, by the Department.

1. Individual case files shall be kept as appropriate to the service being provided. Each file shall contain as a minimum:
 - a) intake and eligibility documentation
 - b) case assessment materials
 - c) service plan or plans to include a goal statement
 - d) on-going documentation detailing the progress of the service activities including a summary of contact. Community Education delivered at the primary level require a Community Education File Each file shall contain, as a minimum:
2. Group service activities such as community education or activities delivered at the primary level require documentation to include:
 - a) group or organizational name
 - b) statement of goal
 - c) the schedule of the event such as the date, time, and site
 - d) approximate number in attendance, the type of individual attending (i.e. adult/child, teachers medical personnel, 3rd grade, etc.)
 - e) the number and names of referrals received¹³
3. Parenting Education and Parenting Support Programs
 - a) Documentation of a participant roster and attendance at each session;
 - b) Documentation of the date, time, and site of each meeting.

¹³ TCA 0250-07-05

Grantee Administrative Requirements

In order to receive funding, the organization administering a child abuse prevention program must comply with the following administrative requirements.

1. The program administration must assure that funds allocated for child abuse prevention under Public Chapter 930 shall be used to provide services in addition to those already provided by the Department of Children's Services.
2. The program administration must be a public organization or private, non-profit corporation, and be tax-exempt under Section 501 of the Internal Revenue Code.
3. The program administration must comply with T.C.A. §§37-1-403 and 14-25-103 by reporting cases of suspected abuse of children and adults to the Department of Children's Services.
4. The program administration must comply with all applicable rules and regulations according to T.C.A. Title 4, Chapter 5, "Administrative Procedures Act".
5. The program administration must submit an annual report from each service funded to include statistics on the number of persons requesting the service; the number of children and/or adults served; the type of service rendered; the characteristics of the persons served; and the number and types of referrals made to other community resources. No information contained in the report shall identify any persons served or enable any persons to determine the identity of such a person. In addition, the program administration will conduct a self-evaluation study annually to determine program effectiveness.
6. The program administration shall be in compliance with Titles "VI" and "VII" of the "Civil Rights Act of 1964", Section 504 of the "Rehabilitation Act of 1973", Title "IX" or the "Education Amendments of 1972", and the "Age Discrimination in Employment Act of 1975".
7. The organization must have a governing board which meets regularly with the staff. Membership on the governing board should include individuals who reside in the community TCA 0250-7-5 by the program, who represent the racial and ethnic make-up of the community, who have an understanding of the problem of child neglect and abuse, who have an interest in tile development and provision of services to potential victims and the victims of child neglect and abuse. Former clients of child abuse, neglect, or perpetrator programs may serve on the board.¹⁴

¹⁴ TCA 0250-07-05

Data Reporting Guidelines

The Grantee shall prepare and submit a Quarterly Program Report due within fifteen (15) days after a reporting period ends. Quarterly reporting periods will begin July 1, 2014 and end June 30, 2015 with quarters scheduled as follows;

1. Q1 07/01/2014 – 09/30/2014
2. Q2 10/01/2014 – 12/31/2014
3. Q3 01/01/2015 – 03/31/2015
4. Q4 04/01/2015 – 06/30/2015

Quarterly Program Reports shall be submitted to the Department of Children’s Services, Network Development online at the following link: <http://www.state.tn.us/youth/cap.shtml>.

Personnel and Staff

Personnel Policy: The governing body must adopt and implement written program personnel policies which are reviewed periodically. These policies, which apply to paid personnel only, must address:

1. Nondiscrimination in regard to sex, race, religion, sexual preference, national origin, disability, age or marital status;
2. Recruitment, selection, promotion, and termination;
3. Benefits;
4. Vacation, sick leave and annual leave accrual, compensatory time;
5. Rules of conduct;
6. Disciplinary actions;
7. Grievances; and
8. Supervision.

Job Description: Written job descriptions for all program positions shall be available. These written descriptions shall include, but not be limited to:

1. Job title;
2. Tasks and responsibilities of the job;

3. Required skills, knowledge, and experience;
4. Salary range; and
5. Lines of authority.

Staff Qualifications: All staff employed with a child abuse prevention program shall possess an understanding of the issues of child abuse and neglect. Further, such staff must meet the following minimum qualifications:

1. *Program director/coordinator:* Bachelor level degree with a major in social work, psychology, Children’s Services, child and family studies, education, sociology, child life, nursing, or other behavioral sciences; or the equivalent of two (2) years of college level education in the behavioral sciences and four (4) years of paid employment in a related area.
2. *Consultants, administrative or supervisory staff:* Bachelor level degree with a major in the appropriate area, generally the behavioral sciences; or, the equivalent of two (2) years of college level education and four (4) years of paid employment in a related area.
3. *Direct counseling staff:* Bachelor level degree with a major in social work, psychology, Children’s Services, child and family studies education, sociology, child life, or other appropriate behavioral science.
4. *Other support staff:* High school diploma or GED equivalency and two (2) years of appropriate volunteer or paid employment experiences.

Wage and Hour Requirements: The program positions must be compensated in compliance with applicable federal and state laws, including the “Fair Labor Standards Act”.

Orientation: The program must provide for a staff orientation which shall include:

1. Insuring overall familiarization with the agency and program purpose, objectives, structure and policy; and
2. Specific exposure to and training in the duties of the position.

Staff Development: The program must provide a written plan for staff development and training which shall include:

1. Initial training for new staff;
2. Ongoing training for personnel;
3. Policy for leaves for conferences, classes or institutes; and
4. Regular staff meetings for discussion of program, policies, and method of practice.

Volunteers: A child abuse prevention program must have written policy and a plan on the use of all volunteers which shall include:

1. An application filed and individual screening;
2. A full description of duties and rights, including confidentiality policy and practices;
3. Provision for supervision;
4. Provision of role appropriate orientation, initial training and ongoing training;
5. Guidelines and policy for termination; and
6. Policies and procedures for contracting of volunteer services. This policy shall assure nondiscrimination in regard to sex, race, religion, sexual preference, national origin, disability, age or marital status, in the recruitment and selection of volunteers and in placement of assignment. Where possible, volunteers should be selected to reflect the racial and ethnic composition of the community.¹⁵

Employee Background Checks

All agencies contracted with the Department of Children’s Services to provide prevention services, as well as those with whom they sub-contract, must follow requirements for employee background checks in accordance with DCS Policy 4.1. Agency-employed staff and volunteers who deliver direct services in the child’s/youth’s home or have “direct contact” with children must be free from criminal and child abuse history. “Direct contact” is defined as “circumstances in which an individual, as part of his or her regular job duties, has face-to-face interaction with or unsupervised access to children”.

For these employees and volunteers, DCS Policy 4.1 requires agencies complete two background checks; a “complete background check” done prior to hire and an “annual background check” done annually. Specific requirements and procedures for these checks are detailed in DCS Policy 4.1 and can be accessed online at <http://state.tn.us/youth/dcsguide/policies/chap4/4.1.pdf> or can be provided by the designated CBCAP State Lead.

Other Program Requirements

- State Legislation requires that Child Abuse Prevention services may include:
 1. Counseling, self-help groups, hot lines, and other related services;
 2. Community and direct education services on awareness; and
 3. Prevention services such as parent education, coping with stress, child development, and helping obtain prenatal care.

¹⁵ TCA 0250-07-05

- Federal Legislation (CBCAP) requires that service providers:
 1. Have a strong parent leadership component.
 2. Participate in the CBCAP Peer review process.
 3. Report on where their program falls in the continuum of evidence based programs.
- The agency must assure that they will avoid the appearance of impropriety in the use or application of these funds.
- Individuals or families in need of child abuse prevention services are eligible for these services without regard to income. Agencies soliciting funds for a program of services shall define the needs of the target population in their proposals. Agencies eligible to apply for and receive funding for child abuse prevention services are those agencies which can provide services to children at risk, particularly those children who reside in households where family violence occurs; and those agencies which provide prevention services which fill the gaps of service. Agencies must meet all requirements as stated in the Standards, state and federal funding laws, the Announcement of Availability of Funds, and the state contract document. (Source Unknown)

Attachments

- A. Line-Item Reimbursement Grant Invoice
- B. Budget Revision Request
- C. DCS Policy 4.1 – Employee Background Checks
- D. DCS Form CS-0687 – Background Check History and IV-E Eligibility Checklist
- E. DCS Form CS-0741 – Database Search Results
- F. DCS Form CS-0921 – Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations
- G. DCS Form CS-0668 – Authorization for Release of Information and HIPPA Protected Health Information TO the Department of Children’s Services
- H. FY 2014 – 2015 CBCAP Agency Grantee Directory

Budget Revision Request (page 2 of 2)

LINE-ITEM DETAIL FOR: (Subject Line-Item)	AMOUNT
(Specific, Descriptive Detail)	
TOTAL	0.00

LINE-ITEM DETAIL FOR: (Subject Line-Item)	AMOUNT
(Specific, Descriptive Detail)	
TOTAL	0.00

LINE-ITEM DETAIL FOR: (Subject Line-Item)	AMOUNT
(Specific, Descriptive Detail)	
TOTAL	0.00

LINE-ITEM DETAIL FOR: (Subject Line-Item)	AMOUNT
(Specific, Descriptive Detail)	
TOTAL	0.00

LINE-ITEM DETAIL FOR: (Subject Line-Item)	AMOUNT
(Specific, Descriptive Detail)	
TOTAL	0.00

LINE-ITEM DETAIL FOR: (Subject Line-Item)	AMOUNT
(Specific, Descriptive Detail)	
TOTAL	0.00

Revision Requested by:

Revision Approved by:

Agency Director or Fiscal
Director

Name and Title

Date

Date



Administrative Policies and Procedures: 4.1

Subject:	Employee Background Checks
Authority:	TCA 37-5-105 (3), 37-5-106, 37-1-414, Adoption and Safe Families Act, P. L. 109-239, Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006- P.L. 109-239, and Social Security Act, Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79).
Standards:	COA: PA HR 3.03, PA-ASE 6.03, PA-RPM 2.01, PREA: 115-317
Application:	All Department of Children's Services; Contract Agency Employees
Policy Statement:	
All Department of Children's Services (DCS) employees that have direct contact with children must be free from a criminal or abuse history that could pose a safety risk to children. All Department of Children's Services (DCS) employees that work with sensitive or confidential information but who may or may not have direct contact with children must be free of criminal or abuse history. All agencies contracting with the Department of Children Services (DCS) for the delivery of direct services to Tennessee children/youth, as well as those with whom they sub-contract, must employ staff free from criminal or abuse history that could pose a safety risk to children.	
Purpose:	
To ensure that background checks are conducted on all DCS/Contract Agency employees that have direct contact with children/youth or who work with sensitive or confidential information. A determination must be made that no criminal or abuse history exists that could pose a safety risk to children.	
Procedures:	
A. Background checks	<ol style="list-style-type: none"> <u>DCS/Contract Agency applicant or transfer</u> - After DCS or the contract agency offers a conditional offer of employment, the applicant or transferring individual must submit to a complete background check including any waiver granted where applicable. The background check will be completed prior to hire by the appropriate designated DCS/Contract Agency staff and results maintained in the official personnel file. Entities or individuals entering a contract with DCS or a sub-contract with a covered DCS contract agency shall be subject to this policy only after conditional contract approval. All DCS/Contract Agency employees whose position involves direct contact with children or who work with sensitive or confidential information must

	<p>complete form CS-0668, Authorization for Release of Information to DCS, or agency equivalent form, upon receipt of a conditional offer of employment.</p> <p>4. The following documentation and background checks comprise a complete background check:</p> <ul style="list-style-type: none">a) Criminal records check from local law enforcement records or county court records for all residences of employee within the immediate six (6) months preceding application for employment.b) TBI/FBI fingerprint check. <p>NOTE: Paid interns from out of state who have direct contact with children/youth may begin employment without the completion of a fingerprint check as long as they have no unsupervised contact with children until fingerprint results are obtained. Fingerprinting must be arranged and results received within fifteen (15) calendar days from the date of hire. Appropriate action will be taken as outlined in this policy if fingerprint results do not comply with policy requirements.</p> <ul style="list-style-type: none">c) Driving records check to include current valid driver license and a check of moving violations records.d) National Sexual Offender Registry Clearance. The Internet Website address is: http://www.nsopw.gov/e) Tennessee Department of Health Abuse Registry Clearance. The Website address is http://health.state.tn.us/abuseregistry/index.html <p>5. All DCS/Contract Agency employees whose position involves direct contact with children must also be cleared through a DCS Database Search that includes a check of Child Protective Services (CPS) records in TFACTS. Once background checks a. through e. above are complete and the applicant is still eligible for employment, the DCS Database Search can be initiated.</p> <ul style="list-style-type: none">a) Requests should be submitted on form CS-0741, Database Search Results to: EI-DCS-Provider.Backgroundcheck@tn.gov.b) Specific information related to CPS findings and records involving an applicant must be maintained in the confidential section of the official personnel file. <p>6. Results from the completed background checks must be documented on form CS-0687, Background Check History and IV-E Eligibility Checklist and filed with supporting results documentation attached in the employee's official personnel file. Contract Agencies may substitute an equivalent form to CS-0687, Background Check History and IV-E Eligibility Checklist provided that the content of the substituted form is the same.</p>
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<p>B. Annual background checks</p>	<ol style="list-style-type: none"> 1. DCS/Contract Agencies will conduct annual background checks on all employees who have direct contact with children. The following is a detailed listing of the documentation and background checks that must be completed annually with results maintained in the employee’s personnel file: <ol style="list-style-type: none"> a) Driving records including validation of current driver license and a check of moving violations records. b) An Internet Records Clearance The internet records clearance involves a background check of the following: <ul style="list-style-type: none"> ◆ Methamphetamine Offender Registry Clearance The Website address is: https://apps.tn.gov/methor-app/search.isp ◆ TN Felony Offender Database Clearance The Website address is: https:apps.tn.gov/foil/-app/search-isp ◆ A National Sexual Offender Registry Clearance The Internet Website address is: http://www.nsopr.gov/ ◆ Department of Health Abuse Registry Clearance. The Website address is http://health.state.tn.us/abuseregistry/index.html 2. Results from all annual background checks must be documented on DCS form CS-0687, Background Check History and IV-E Eligibility Checklist or equivalent form in the same manner as set out in Section A.6 of this policy. 3. Any issues discovered in the annual check will be addressed on a case-by-case basis and may result in disciplinary action up to and including termination from employment with DCS/Contract Agencies.
<p>C. Approval or Denial of employment based on background check</p>	<ol style="list-style-type: none"> 1. No applicant may be approved for employment who has a felony conviction for the following: <ol style="list-style-type: none"> a) Child Abuse and Neglect; b) Spousal Abuse; c) A crime against a child or children (including child pornography); d) Any aggravated crime or other crime involving violence, including, for example, rape, sexual assault, or homicide, but not including other types of physical assault or battery. <p>Note: In situations where there are pending charges of this type with no disposition, approval will be withheld until such time as the charges have been fully resolved.</p>

2. An applicant who has been convicted of any other felony offense may be granted a waiver if:
 - a) The conviction occurred more than five (5) years prior to the applicant's hiring; and
 - b) The DCS Executive Director of the Office of Human Resources Development or Contract Agency Director personally reviews the circumstances of the applicant and determines that the applicant could work productively and constructively with children.
 - c) Applicants with such other felony convictions and deemed appropriate for hire by the Contract Agency Director must also receive Central Office approval as outlined in Section D of this policy.
3. In situations where there are pending felony charges with no disposition, approval will be withheld until the charges have been fully resolved. **NO** waiver may be obtained for pending charges of this type regardless of possible disposition outcome.
4. Prior misdemeanor convictions *should be evaluated as to any safety risk presented by the applicant and will not prevent the applicant's hire or require a waiver unless the offense involves:*
 - a) A child safety issue; or
 - b) *A domestic assault or domestic violence conviction.*

*Applicants with these convictions should be considered on a case-by-case basis by the DCS Regional Administrator, YDC Superintendent, or Contract Agency Director. Once the relevant staff reviews the circumstances and determines that the applicant could provide quality care, DCS form **CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations** must be completed and submitted to DCS Central Office for final approval by the appropriate Executive Director.*
5. 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, YDC Superintendent, Director of Investigations, or Contract Agency equivalent role, as long as the pending charge will 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** must be kept in the employee's official personnel file.
6. All criminal charges listed in the background check history (except those covered by C. 5.) for which there is no final disposition identified must be clarified by obtaining additional official documentation from the local court with jurisdiction.

	<p>7. No applicant will be hired or promoted who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution as defined in 42 U.S.C. § 1997.</p> <p>8. Consistent with Federal, State, and local law, DCS/Contract Agencies will make every effort to contact all prior institutional/facility employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. In addition, incidents of sexual harassment will be considered when determining whether to hire or promote employees.</p> <p>9. DCS/Contract Agency employees must report any CPS substantiation, arrest, indictment, or criminal conviction of any criminal offense (either misdemeanor or felony). Refer to DCS Policy <u>4.9. Employee Disciplinary Actions and Mediation Process</u> for additional information on reporting of arrests, indictments, or criminal convictions of any criminal offense by DCS/Contract Agency employees.</p> <p>10. All background checks will be completed in accordance with policy to ensure timely assessment of applicant employment. However, to allow for human error, it will be permissible to rectify such errors noted on the local background check, DCS Database Search and the Internet Clearance checks (i.e. incorrect name spelling, DOB, SSN). Newly conducted checks that show no results will be considered compliant. Checks that show convictions within the findings will be deemed non-compliant.</p> <p>11. If an employee has a period of unemployment with DCS or Contract Agency of thirty (30) days or less AND the fingerprint results are less than one year old, the original fingerprint check results will be considered valid.</p> <p>Note: Any Contract Agency accessing an internet service to complete the required background checks for employees is responsible for ensuring that the internet services being utilized accesses the internet searches listed above, at a minimum. Doing so will preclude the need for the contract agency 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 and cause the employee check to be non-compliant.</p>
<p>D. Criminal history waiver</p>	<p>In situations where an applicant for employment with DCS/Contract Agency is determined to have a criminal conviction that meets the criteria in <i>Section C, items 2 and 4</i>, a criminal history waiver must be completed. In order for employment to be approved, the criminal history waiver must be approved as outlined in this policy and according to the instructions for form CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations, prior to hire. Documentation of the criminal history waiver request and approval must be maintained in the employee's personnel file.</p>

<p>E. Tracking and monitoring of contract agency staff who have direct contact with children</p>	<p>The DCS Office of Child Program, Division of Child Permanency will track and monitor IV-E safety requirements regarding contract agency employees who have direct contact with children in congregate care or facility settings. Review <u>Facility and Group Care IV-E Compliance Protocol</u>.</p>
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<p>Forms:</p>	<p><u>CS-0668. Authorization for Release of Information to DCS</u> <u>CS-0687. Background Check History and IV-E Eligibility Checklist</u> <u>CS-0741. Database Search Results</u> <u>CS-0921. Waiver of Criminal Convictions. PATH Training Modifications. Non-Safety Issues and CPS Substantiations</u></p>
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<p>Collateral Documents:</p>	<p><u>Facility and Group Care IV-E Compliance Protocol</u></p>
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<p>Glossary:</p>	
<p>Term</p>	<p>Definition</p>
<p>Conditional Offer of Employment:</p>	<p>For this policy, a conditional offer of employment means that prospective employees will not be hired until all background checks are completed or a criminal history waiver is approved.</p>
<p>Primary Contractor:</p>	<p>A primary contractor is an entity contracting directly with the Department of Children’s Services. Notwithstanding any use of an approved sub-contractor, the primary contractor shall be ultimately responsible for all services provided.</p>
<p>Sub-contractor:</p>	<p>A sub-contractor is an individual or entity that provides services to children/families in Tennessee on behalf of a primary contractor. Sub-contracting individuals or entities are required to maintain all current and necessary licensing and credentials in accordance with DCS policy.</p>
<p>Direct Contact:</p>	<p>Circumstances in which an individual, as part of his or her regular job duties, has face-to-face interaction with or unsupervised access to children.</p>

Department of Children's Services

Instructions for Use of Form CS-0687, Background Check History and IV-E Eligibility Checklist

Form **CS-0687, Background Check History and IV-E Eligibility Checklist** is utilized to record the date of completion of criminal and child abuse and neglect background checks for an expedited placement, approval of a resource parent(s) (DCS or Contract Agency), other adult household members, volunteers, or employees (DCS or Contract Agency).

- A separate form must be completed for each individual person who is the subject of the background checks.
- All fields must be completed with a date or recorded with "N/A" when not appropriate.
- At the completion of the document, a signature of the requester (FSW, HR staff, Volunteer Coordinator, etc.) is required. Results must be reviewed and approved by a supervisor.
- The form is filed in the appropriate resource parent, employee, or family case file or applicable file.
- This information can and should be shared between divisions of the agency to ensure that collected knowledge crosses departmental boundaries on an as needed basis.
- This form is used by Central Office staff for the confirmation of completion of IV-E eligibility documentation for DCS and Contract Agency resource homes and Contract Agency congregate and residential direct care staff.

Background Check Guidelines

Type of Background Check	Schedule for Background Check Completion
Local Law Enforcement Checks	Employees- Initial
	Volunteers- Initial
	Resource Parents- Initial, Biennially
National Sex Offender Registry	Employees- Initial, Annual
	Volunteers- Initial, Annual
	Resource Parents- Initial, Biennially
TN Dept of Health Vulnerable Persons- Abuse Registry	Employees- Initial, Annual
	Volunteers- Initial, Annual
	Resource Parents- Initial, Biennially
TN Felony Database Clearance	Employees- Annual
	Volunteers- Annual
	Resource Parents- N/A
Meth Offender Registry	Employees- Annual
	Volunteers- Annual
	Resource Parents- N/A
CS-0741 DCS Database Search	Employees- Initial
	Volunteers- Initial
	Resource Parents- Initial
Fingerprint Results (TBI/FBI)	Employees- Initial
	Volunteers- Initial
	Resource Parents- Initial
Purpose Code X III Name Check (Used only for emergency placements that will be made within 24-48 hrs)	Employees-If applicable
	Volunteers- N/A
	Resource Parents- If applicable
Driver's License (Also attach copy of auto insurance, current vehicle registration and vehicle inspection if applicable)	Employees- Initial, Annual
	Volunteers- Initial, Annual
	Resource Parents- Initial, Biennially

For further clarification of back ground check requirements, refer to DCS policies [4.1, Employee Background Checks](#), [16.4, Resource Home Approval](#), and [16.8, Responsibilities of Approved Resource Homes](#), and the [Volunteer Coordinator's Procedure Manual](#).



Tennessee Department of Children's Services

Background Check History and IV-E Eligibility Checklist

Date background check started:			
Requester's Name:			Organization:
Agency/Group Home/YDC:		Date of Hire:	
Applicant's Full Name:			
Social Security Number:		Date of Birth:	
Email:		Telephone:	
Street Address:			
City:		State:	Zip Code:
Reason for Background Check:	<input type="checkbox"/> LEA Employee	<input type="checkbox"/> DCS Employee	<input type="checkbox"/> DCS Volunteer <input type="checkbox"/> Contract Provider Employee
<input type="checkbox"/> Other Child Care Related	<input type="checkbox"/> Resource Parenting	<input type="checkbox"/> ICPC/ICJ Request	<input type="checkbox"/> Other (Specify):

Copies of all results received must be attached with this form. See form instructions, page 2, for Background Checks schedule.

Type of Background Check	Employee	Resource Parent/Household Member	Central Office Use Only
Local Law Enforcement Check			
National Sex Offender Registry			
TN Dept of Health Vulnerable Persons Abuse Registry			
TN Felony Database Clearance			
Meth Offender Registry			
CS-0741 DCS Database Search			
Fingerprint Results (TBI/FBI)			
Purpose Code X III Name Check (Used only for emergency placements that will be made within 24-48 hrs)			
Driver's License (Also attach copy of auto Insurance, current vehicle registration and vehicle inspection if applicable)			
Other (Specify):			

Comments:

Results Reviewed by:	Date:
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Reviewer's Signature

Central Office Use Only

Date Reviewed	Date Response	Date Reviewed	Date Response

Check the "Forms" Webpage for the current version and disregard previous versions. This form may not be altered without prior approval.

Distribution: Original (as applicable), Employee (Confidential Section of the Official Personnel File), Resource Parent File, Volunteer File

CS-0687

Rev: 2/14

RDA 2926

Page 1

**Department of Children's Services
INSTRUCTIONS FOR USE OF FORM
CS-0741 DATABASE SEARCH RESULTS**

This form is to be used to request a search of the Social Services Management System (SSMS) and the DCS current child welfare information system databases. This check must be completed for all prospective Resource Parents, volunteers, DCS and provider employees who will work with children. The request would be made by a person who is completing a resource home study or is responsible for completing a prospective employee or volunteer's file. The reply would be provided by the designated DCS permanence or personnel staff once the system search has been done.



Database Search Results

Date of Request:

Name: Enter Name of Person Making the Request		Agency:	
Email:		Telephone:	Fax:
Street Address:			
City:		State:	Zip Code:

Request for Social Services Management System SSMS and current child welfare information database search on:			
Full Name: Enter Name of Person Being Researched		Release on file with Agency:	
Address:			
Telephone:	Social Security Number:		Date of Birth:
Reason for Search Request:		Specify (if other):	

Please do not write in space below. For DCS use only.

DCS SSMS & current child welfare information database search results response to Enter Name of Person Making the Request	
Re: Enter Name of Person to be Researched	Date:

We have the following results from the DCS background check you requested on:

<input type="checkbox"/>	No evidence was found in DCS records that the person listed above was indicated as a perpetrator of child abuse or neglect in Tennessee.
<input type="checkbox"/>	DCS was unable to complete your request at this time. An additional 30-60 days is required.
<input type="checkbox"/>	The results are inconclusive; More specific information is needed to accurately process your request.
<input type="checkbox"/>	A search of available DCS records show that the above listed person was indicated by DCS for List the indication in Tennessee.
<input type="checkbox"/>	The above listed person has not been indicated by DCS or the indication occurred more than 2 years ago and its release is therefore prohibited by <u>Tennessee Comprehensive Rules and Regulations 0250-7-9-.03(5)</u> .

Search completed by:	Date:
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Instructions for Form CS-0921, Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations

1. **Purpose of the form:** Documentation is required for justifying a request for a waiver of criminal convictions of DCS/ Contract Agency employees, potential resource parents, or adult household members in approved resource homes. See DCS policies [4.1, Employee Background Checks](#), [16.4, Resource Home Approval](#), [16.8, Responsibilities of Approved Resource Homes](#), or [14.24, Child Protective Services Background Checks](#).
2. **When is it used:** Upon discovery that an individual has a conviction of a criminal act that could impact the person's ability to serve as an employee, viable resource parent or resident in an approved resource home. The form may also be used to request waivers for resource home Non-Safety Issues, modifications in PATH or CPS substantiations.

Note: If you are requesting a waiver, please discuss the circumstances and justification for employment in the area provided.

3. **Who completes the form:** The Regional Administrator/ Contract Agency Executive Director or their appointed designees (see DCS policy [4.1, Employee Background Checks](#) and the [Protocol for Requesting a Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations](#)) must complete the waiver documenting their justification for the approval or denial of the prospective employee or resource parent. The Approval or Denial box is checked based on the decision and a Regional Administrator/Executive Director signature is required.
4. **Form Review/Approval:** The signed waiver is submitted to the relevant DCS Executive Director/Contract Agency Executive Director or designee. The Executive Director or designee will review the waiver form and approve or deny the request. See DCS policy [4.1, Employee Background Checks](#) and the [Protocol for Requesting a Waiver of Criminal Convictions, PATH Training Modifications, Non-Safety Issues and CPS Substantiations](#) if approval is denied by the Executive Director or designee. The signed form will be returned to the requestor following the decision.
5. **Where is signed waiver filed:** A copy of the waiver will be maintained in the employee's personnel file or the agency's resource home case file.
6. **Each conviction or CPS substantiation requires its own waiver form. In addition, each specific DCS classification, misdemeanor, and felony conviction should be provided on the form. An application or resource home approval cannot be granted until disposition is received and reviewed on each individual conviction.**
7. **Each type of waiver requires review and approval by specific programmatic staff. The following staff persons are required to give approval for each waiver listed below:**

a) CPS substantiation:

- ◆ Regional Administrator/designee and Central Office Executive Director of the Office of Child Safety/Designee (DCS Resource Homes)
- ◆ Contract Agency Executive Director/Designee, and Central Office Executive Director of the Office of Child Safety/Designee (Contract Agency Resource Homes)

b) Non-Safety Issues:

- ◆ Regional Administrator/Designee (DCS Resource Homes)
- ◆ Contract Agency Executive Director/Designee (Contract Agency Resource Homes)

Check the "Forms" Webpage for the current version and disregard previous versions. This form may not be altered without prior approval.

Distribution: DCS Resource Home Case file, Employee, Personnel file, Private Provider Case File, CPS Case File

c) PATH Modifications:

- ◆ **Regional Administrator/designee (DCS Resource Homes)**
- ◆ **Contract Agency Executive Director/Designee (Contract Agency Resource Homes)**

d) Misdemeanor Convictions:

- ◆ **Regional Administrator/Designee (DCS Resource Homes)**
- ◆ **Contract Agency Executive Director/Designee (Contract Agency Resource Homes and Employees)**
- ◆ **Executive Director of Human Resources Development/Designee (DCS Employees)**
- ◆ **Deputy Commissioner of Juvenile Justice/Designee (YDC Employees)**

e) Felony Convictions:

- ◆ **Regional Administrator/designee and Executive Director of Regional Services or Deputy Commissioner of Protection and Permanency or Executive Director of the Office of Child Permanency Designee (DCS Resource Homes)**
- ◆ **Contract Agency Executive Director/designee (Contract Agency Resource Homes and Employees) and DCS Office of Network Development Designee**
- ◆ **Executive Director of Human Resources Development/Designee (DCS Employees)**
- ◆ **Deputy Commissioner of Juvenile Justice/Designee (YDC Employees)**



Tennessee Department of Children's Services
Waiver of Criminal Convictions, PATH Training Modifications, Non Safety Issues and CPS Substantiations

Requesting Agency/DCS Region : _____ Street Address: _____

City/State/Zip: _____ Telephone No.: () - _____

Employee/Resource Home Name: _____

Household Member Requiring Waiver (Resource Home only): _____

Type of Waiver CPS Substantiation PATH Modification
 Non-Safety Issue Misdemeanor Conviction Felony Conviction

*In the case of an expedited placement of a child, any needed waiver of any CPS substantiations and/or felony criminal convictions must be fully approved by the Regional Administrator and the Central Office staff prior to placement.

Conviction Description _____ County/State of Disposition: _____ Date of Conviction: _____

CPS Classification Type: _____ County/State of Disposition: _____ Date of Disposition: _____

PATH Modification Type: PATH Equivalent Individual PATH Condensed PATH (for Relatives/Kin only)

Circumstances and Justification of the Waiver request (Attach supporting documentation of criminal history results and any additional documentation):

For Resource Homes and Employees:

_____ Approved
 Denied _____
Regional Administrator/Designee Signature *Date*

_____ Approved
 Denied _____
Contract Agency Executive Director/Designee Signature *Date*

_____ Approved
 Denied _____
Executive Director of Child Programs/Designee Signature *Date*

For DCS Employees Only:

_____ Approved
 Denied _____
Executive Director of Human Resources/Designee Signature *Date*

_____ Approved
 Denied _____
Deputy Commissioner/Designee-Juvenile Justice Signature *Date*

For CPS Substantiations:

_____ Approved
 Denied _____
Executive Director Child Safety/Designee Signature *Date*

Check the "Forms" Webpage for the current version and disregard previous versions. This form may not be altered without prior approval.

Distribution: DCS Resource Home Case file, Employee, Personnel file, Private Provider Case File, CPS Case File

Department of Children's Services
INSTRUCTIONS FOR USE OF FORM
CS-0668, Authorization for Release of Information and HIPAA Protected Health Information
TO THE
DEPARTMENT OF CHILDREN'S SERVICES

Use this form to **RECEIVE** information or records needed on children/youth or parents, foster parents or other individuals as applicable.

Use this form to **RECEIVE** educational and criminal background checks information and records on employees or volunteers. This form may **not** be used to obtain **Medical and Psychological information** on employees or volunteers. For this type of information regarding employees or volunteers, consult with the appropriate DCS Human Resources Representative or contact the DCS Office of Human Resources.

This form must be filled in completely. Areas throughout the form (including the HIPAA section) that provides boxes where a "Yes" or "No" response is requested **must** be checked "Yes" or "No".

Each area of the form that requires an "Authorizing Signature, Witness Signature and Date" **must** be completed.

***HIPAA Authorization for Release of Protected Health Information**

Complete the *HIPAA Section on this form when the client or his/her personal representative requests/wishes DCS **to receive protected health information (PHI) records from another person/organization.**

- **Notes:**
1. Case Managers **must** complete the section of the form that requests a specific description of the information to be released and the purpose for the release. If you want anything other than the standard language on page 2 of the form (box highlighted in red), you may cross it out and put in more specific information.
 2. The client or the client's authorized representative must approve and sign this form before any PHI information is released to the requesting person/entity. Exception: If the child is age 14 or older, they may sign the form.
 3. The maximum length of time a form may remain valid is one year from the begin date if certain information is requested on a recurring basis. If information is requested on a one-time basis, the form is effective for ninety (90) days from the begin date.
 4. In all cases, the parent/guardian is the authorizing agent unless the child is in full guardianship. If the child is in full guardianship and under age 14, DCS is the authorizing agent.
 5. For additional questions regarding the completion of this form, contact the local DCS Regional Counsel.



Tennessee Department of Children's Services
Authorization for Release of Information and HIPAA Protected Health
Information to the Department of Children's Services and Notification of
Release

I hereby authorize any representative of the Tennessee Department of Children's Services bearing this release, or a copy of same, to obtain information from your files, including any information deemed to be confidential. I hereby direct you as an individual or agency to release this information upon request of said representative. This release is executed with the full knowledge and understanding that the information released is for the official use of the Department of Children's Services. Failure to grant access to needed information to provide services may result in a court-ordered request for information

It has been explained to me, and I understand that there are statutes and regulations protecting the confidentiality of certain written and oral record information. I may revoke this consent to release of information at any time; however, I also understand that any release which has been made prior to my revocation and which was made in reliance upon this authorization shall not constitute a breach of my right to confidentiality. Unless I revoke this authorization prior to such time, this authorization is valid until such request is fulfilled, but not to exceed one (1) year from *date of my signature. My signature indicates I have received a copy of this authorization. I hereby request and authorize the release of records or information as specified below:

Name: (Last) _____ (First) _____ (Middle) _____ Date of Birth _____ Social Security No. _____ Gender _____

Address: _____ Place of Birth: _____ ID No. _____

Home Telephone No. _____

Cellular Telephone No. _____

Work Telephone No. _____

Alternate Telephone No. _____

(If The Requestor is a Child Under the Age of Legal Consent (18), the Child's Parent(s) or Legal Guardian Must Sign This Release.)

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	1. Education records, including transcripts, GED, TCAP, Special Education
<input type="checkbox"/>	<input type="checkbox"/>	2. Medical records, including examinations, laboratory tests, and prescribed treatments (List specific medical information needed). <i>Does not apply to employees or volunteers.</i>
<input type="checkbox"/>	<input type="checkbox"/>	3. Psychological/Psychiatric/Mental Health Treatment Records, including any associated test results. List specific Psychological/Psychiatric/Mental Health Treatment information needed). <i>Does not apply to employees or volunteers.</i>
<input type="checkbox"/>	<input type="checkbox"/>	4. Employment Records
<input type="checkbox"/>	<input type="checkbox"/>	5. Background/Criminal History Checks, including Polygraph, and Fingerprint Results
<input type="checkbox"/>	<input type="checkbox"/>	6. Personal Finance/Credit History/Insurance Records (as applicable)
<input type="checkbox"/>	<input type="checkbox"/>	7. Other – Specify:

 Authorizing Signature

 Date

 Signature of Witness

 Date

Name: (Last) _____ (First) _____ (Middle) _____ Date of Birth _____ Social Security No. _____ Gender _____

HIPAA Authorization for Release of Protected Health Information:

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	I hereby authorize the use or disclosure of my individually identifiable health information as described below. I understand that this authorization is voluntary. I understand that if the person or organization authorized to receive the information is not a health plan or health care provider the released information may no longer be protected by federal privacy regulations.

Note to Case Managers: Please review and explain the following section to the individual completing this form. The individual completing this form must acknowledge their understanding and initial each of the statements listed below.

<ul style="list-style-type: none"> ◆ I understand that my ability to receive health care, eligibility for health care, or the payment for my health care will not be affected if I do not sign this form. Initials: _____ ◆ I understand that I may see and copy the information described on this form if I ask for it, and that I get a copy of this form after I sign it. Initials: _____ ◆ I understand that this authorization will expire on ____ ____ ____ ____ (DD/MM/YYYY). Date not to exceed one year from begin date. Initials _____ ◆ I understand that I may revoke this authorization at any time by notifying the person/organization(s) in writing, but if I do it won't have any affect on any actions taken before the revocation was received. Initials: _____

<p>*DCS may use the requested information (anything that has been checked in the "yes" column on page one) in court proceedings or programmatic areas that is relevant in making decisions or providing services for the child's best interest.</p> <p>Specific description of information (including date(s)) to be released and purpose for release:</p>
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_____ Authorizing Signature _____ Date _____

_____ Signature of Witness _____ Date _____

THIS FORM IS EFFECTIVE FROM: _____ *Date* to _____ *Date*

(DATE NOT TO EXCEED ONE YEAR FROM BEGIN DATE or 90 DAYS FROM BEGIN DATE IF A ONE TIME REQUEST IS MADE FOR INFORMATION)