



Waiver of Criminal Convictions, Pre and In-Service Training Requirements, Non-Safety Issues, CPS Substantiated and Education Requirements

Requesting Agency/DCS Region: _____ Telephone No.: _____

Employee/Foster Home Name: _____

Household Member Requiring Waiver: _____

Household Member Address: _____

Household Member Phone Number: _____

Type of Waiver:	Education	Misdemeanor Conviction	Felony Convictions
CPS Substantiation	Non-Safety Issue	Excess of 5 Convictions	Training

Pre-Service Training (TN KEY Modification Type):

Extension	Equivalent	Individual	ICPC Condensed (Relative/Kin Only)
Modified Schedule	Exemption		

In-Service Training:

Waiver Type: Deferred Exemption

In Service Class Type:

Working with the Education System

Medical Professional Medication Administration Exemption

CPR/First Aid Equivalent

Expiration Date for CPR/First Aid Equivalent: _____ (to be entered by Central Office staff at time of approval)

Criminal History: (if more space is needed, please add to the justification section)

Date of Conviction	Type of Conviction	Description of Conviction	County/State	Comments
	Misd <input type="checkbox"/> Felony <input type="checkbox"/>			
	Misd <input type="checkbox"/> Felony <input type="checkbox"/>			
	Misd <input type="checkbox"/> Felony <input type="checkbox"/>			

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Table with 5 columns and 3 rows. Each row contains a checkbox for 'Misd' and 'Felony'.

Employee/Foster Home/Household Member Name: _____

CPS Substantiation:

Table with 4 columns: Date of Substantiation, Allegation Type Substantiated, Severe (Y/N), County/State.

Provide details regarding the circumstances and justification of the waiver request. Describe how the matters have been resolved or are no longer a safety issue. (Attach supporting documentation such as criminal history, juvenile court orders, DCS hearing orders, CPS notices, or supporting training documentation which could further support the request). List additional criminal history that would not fit above in this section, if needed:

For Non-Custodial Placements, Foster Homes and Employees:

Regional Director/CPS Director/Designee Signature [checkbox] Approved [checkbox] Denied Date

Contract Agency Executive Director/Designee Signature [checkbox] Approved [checkbox] Denied Date

Executive Director of Child Programs/Designee Signature [checkbox] Approved [checkbox] Denied Date

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Director of Licensure/Designee Signature

Approved
Denied

Date

For Training Exceptions:

Director of Training and Professional Development/Designee Signature

Approved
Denied

Date

Director of Health Advocacy/Designee Signature

Approved
Denied

Date

Employee/Foster Home/Household Member Name: _____

For DCS Employees Only:

Executive Director of Human Resources/Designee Signature

Approved
Denied

Date

Deputy Commissioner/Designee-Juvenile Justice Signature

Approved
Denied

Date

For CPS Substantiations:

Executive Director Child Safety/Designee Signature

Approved
Denied

Date

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INSTRUCTIONS FOR USE OF FORM CS-0921

Waiver of Criminal Convictions, Pre and In-Service Training Requirements, Non-Safety Issues, CPS Substantiations and Education Requirements

1. **Purpose of the form:** Documentation is required for justifying a request for a waiver of criminal convictions of DCS/ Contract Agency employees, potential foster parents, or adult household members in approved foster homes. The form may also be used to request waivers for foster home non-safety issues, Pre and In-Service training requirements, CPS substantiations or education requirements for DCS/Contract Agency employees. See DCS policies [4.1, Employee Background Checks](#); [16.4, Foster Home Selection and Approval](#); [16.8 Responsibilities of Approved Foster Homes](#); [16.9 Required Foster Parent In-Service Training](#); [14.24, Child Protective Services Background Checks](#) or the [Provider Policy Manual](#).
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 foster parent or resident in an approved foster home; to address any other policy issues related to foster home approval or employment.
3. **Who completes the form:** The Regional Director or their appointed designees must complete the waiver discussing the circumstances and documenting their justification for the approval or denial of the prospective employee, foster parent or other adult household member. The Regional Director or designee signs, dates and checks the Approval or Denial Box with the waiver decision.
4. **Form Review/Approval:** The signed approved waiver is submitted to the relevant Central Office designee (see below for required program signature). The Central Office designee will review the waiver form and approve or deny the request. The signed form will be returned to the requestor following the decision. Follow DCS policies [4.1, Employee Background Checks](#); [16.4, Foster Home Selection and Approval](#); [16.8 Responsibilities of Approved Foster Homes](#); [16.9 Required Foster Parent In-Service Training](#); [14.24, Child Protective Services Background Checks](#) or the [Provider Policy Manual](#) for next steps if the waiver is approved.
5. **Where is signed waiver filed:** A copy of the waiver will be maintained in the employee's personnel file or the agency's foster home case file.
6. **Each form may include multiple requests (criminal conviction, CPS substantiation, etc.) on a single waiver form for each individual. Each specific DCS CPS classification, misdemeanor, and felony conviction should be provided on the form as the Conviction Description or CPS Classification Type, and Waiver requests for Excess of 5 Convictions may be reported on one waiver form listing all classifications and/or convictions in the body of the Circumstances and Justification section. An application for foster home approval cannot be granted until disposition is received and reviewed on each individual conviction. An application for foster home approval cannot be granted for a CPS Substantiation until formally overturned by Due Process unless on an Expedited Kinship Placement with waiver approval by Regional Director/designee and Executive Director of the Office of Child Safety/designee.**

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CS-0921 Rev: 8/22



7. Each type of waiver requires review and approval by specific programmatic staff.

SEE THE ATTACHED GRID FOR SIGNATURE REQUIREMENTS

Waiver Form Instruction Grid

KEY: Regional Director = RD; Director of Foster Care = DFC; Director of Training and Professional

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Development = DTP				
Waiver Type	Non-Custodial	DCS Foster Homes	Contract Agency Foster Homes and Employees	DCS Employees
DCS Child Abuse and Neglect Registry Substantiation	Executive Director of the Office of Child Safety or designee	RD/designee and Executive Director of the Office of Child Safety/designee	N/A	N/A
DCS Child Abuse and Neglect Registry Reclassified Allegation	RD/designee and Director of Foster Care and Adoptions/designee or Director of Investigations/designee	RD/designee and DFCA/designee	N/A	N/A
Misdemeanor Convictions/Excess of 5 Convictions	RD/designee (Child Program cases) or Director of Investigations/designee (Child Safety cases)	RD/designee and DFCA/designee	Contract Agency Executive Director/designee, Central Office Child Programs Designee and Director of Licensure	Executive Director of Human Resources Development/designee; Deputy Commissioner of Juvenile Justice/designee for YDC employees

Felony Convictions/Excess of 5 Convictions	RD/designee (Child Program cases) or Director of Investigations/designee	RD/designee and DFCA/designee	Contract Agency Executive Director or designee, Central Office Child Programs designee	Executive Director of Human Resources Development or designee; Deputy Commissioner of
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	(Child Safety cases)		and Director of Licensure	Juvenile Justice or designee for YDC employees
Non-Safety Issues	N/A	RD or designee	Contract Agency Executive Director/designee and Central Office Child Programs Designee	N/A
Pre or In-Service Training	N/A	RD/designee and DTP/designee No RD/designee signature required for Medical Professional waiver	Contract Agency Executive Director/designee and Central Office DTP/designee	N/A

Education Requirements	N/A	N/A	Contract Agency Executive Director/designee, Director of Licensure/designee and Director of Placement and	Executive Director of Human Resources Development/designee; Deputy Commissioner of Juvenile Justice/designee for
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			Provider Services/designee	YDC employees
Delegated Authority Felony+ Misdemeanor Convictions/Excess of 5 Convictions	N/A	N/A	Agency/Provider Executive Director/designee, Central Office Child Health Designee	N/A

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