



Tennessee Department of Children's Services

Waiver Tip Sheet

Supplemental to DCS Policies 4.1, 14.12, 14.24, 16.4 and 16.20

Note: All waivers must be approved prior to any placement of the child, including emergency placements, whether custodial or non-custodial, and documented on form [CS-0921. Waiver of Criminal. PATH Training Modifications. Non-Safety Issues. CPS Substantiations and Educational Requirements.](#)

1. Felonies that cannot be waived:

- a) Convictions for any of the following:
 - ◆ Any crime against a child, including child abuse and neglect;
 - ◆ Domestic, family or spousal violence;
 - ◆ Any crime involving violence, including rape, sexual assault or homicide;
 - ◆ Felony convictions that have occurred within five (5) years of the date of request; and,
- b) Pending criminal charges or proceedings that could result in a felony conviction.

2. Felony convictions that can be waived with required approvals:

- a) Physical assault or battery;
- b) Crime against a person;
- c) Drug-related offenses;
- d) If an applicant has a total of five (5) or more felony convictions, they are considered on a case-by-case basis; and,
- e) Other felony convictions not listed above may be eligible for a waiver if they occurred more than five (5) years of application.

3. Misdemeanor convictions which require approval:

- a) Convictions involving child safety concerns;
- b) Domestic, family or spousal violence;
- c) Five (5) or more misdemeanor convictions are considered on a case-by-case basis; and,
- d) Pending misdemeanor charges **if** a conviction does not result in an ineligible offense.

NOTE: Misdemeanor offenses related to traffic violations do not need a disposition nor are they required to be waived. However, such offenses are evaluated as to any safety risks associated with foster parent and employee responsibility.

4. **Other:** Excess of five (5) convictions (combination of misdemeanor and felony) require waiver approval by RA/ Director of Foster Care and Adoptions/Designee for DCS Foster Homes and Contract Agency Executive Director, DCS Office of Network Development/Designee and Director of Licensing/Designee for Contract Agency Foster Homes and Employees and are considered on a case-by-case basis.

***For specific program staff approval refer to #7 in the “Instructions” to form [CS-0921, Waiver of Criminal, PATH Training Modifications, Non-Safety Issues, CPS Substantiations and Educational Requirements](#).**

5. **Delinquent Youth in the Household:**

Requires a waiver approved by **RA/Contract Agency Executive Director/Designee:**

6. **CPS Substantiations (See DCS Policy [14.24, Child Protective Services Background Checks](#))**

**** If a child death (Codes Q & R per [Conducting Social Service Management System \(SSMS\) Checks in TFACTS](#)) resulted in any previous report, the substantiation cannot be waived.**

a) The following substantiations of a person on the SSMS database require a waiver approved by the **RA/Designee, Contract Agency Executive Director/Designee and Executive Director of the Office of Child Safety/Designee:**

- ◆ Lack of supervision;
- ◆ Educational neglect;
- ◆ Moral abuse;
- ◆ Physical neglect; and,

b) All other substantiations require **Executive Director of the Office of Child Safety/Designee** review.

Note: It is important to remember that the SSMS database does not contain the name of every child in the family. Due to the significant amount of information in the Department’s past databases the decision was made to only convert the indicated substantiated perpetrators (on the perpetrator section) and all children who were alleged to be victims. It is also important to note that case managers entered this information into our database via a paper document. There may be occasions where the Department has information on the family, but it may not have been entered into the system in every case. This archive system is not all-inclusive. Therefore, when responding back to the requesting individual remind them to check any local system available or closed files.

7. Educational Waivers:

Providers refer to the [Provider Policy Manual \(PPM\)](#), in the Core Standards section under “Personnel Requirements” for direction when seeking clarification of educational requirements for Administrative, Clinical and Direct-Care staff. If the requirements are unclear for the prospective staff being considered, a [Waiver of Criminal, PATH Training Modifications, Non-Safety Issues, CPS Substantiations and Educational Requirements \(form CS-0921\)](#) is completed and submitted to both the DCS Director of Licensure and the DCS Director of Placement and Provider Services. This form should contain specific and detailed information as to the justification for considering the prospective hire.

The DCS Director of Licensure and DCS Director of Placement and Provider Services confer and engage others within the Department for guidance, if needed. Upon approval or denial of the request, [form CS-0921](#) is submitted back to the requesting entity with the accompanying decision and relevant signature(s).

**NUMBER ASSIGNMENT
FOR TENNESSEE COUNTIES**

TO BE USED WITH ENTRY OF UNKNOWN SOCIAL SECURITY NUMBERS

01	Anderson	33	Hamilton	65	Morgan
02	Bedford	34	Hancock	66	Obion
03	Benton	35	Hardeman	67	Overton
04	Bledsoe	36	Hardin	68	Peny
05	Blount	37	Hawkins	69	Pickett
06	Bradley	38	Haywood	70	Polk
07	Campbell	39	Henderson	71	Putnam
08	Cannon	40	Henry	72	Rhea
09	Carroll	41	Hickman	73	Roane
10	Carter	42	Houston	74	Robertson
11	Cheatham	43	Humphreys	75	Rutherford
12	Chester	44	Jackson	76	Scott
13	Claiborne	45	Jefferson	77	Sequatchie
14	Clay	46	Johnson	78	Sevier
15	Cocke	47	Knox	79	Shelby
16	Coffee	48	Lake	80	Smith
17	Crockett	49	Lauderdale	81	Stewart
18	Cumberland	50	Lawrence	82	Sullivan
19	Davidson	51	Lewis	83	Sumner
20	Decatur	52	Lincoln	84	Tipton
21	DeKalb	53	Loudon	85	Trousdale
22	Dickson	54	McMinn	86	Uni co
23	Dyer	55	McNairy	87	Union
24	Fayette	56	Macon	88	Van Buren
25	Fentress	57	Madison	89	Warren
26	Franklin	58	Marion	90	Washington
27	Gibson	59	Marshall	91	Wayne
28	Giles	60	Mauy	92	Weakley
29	Grainger	61	Meigs	93	White
30	Greene	62	Monroe	94	Williamson
31	Grundy	63	Montgomery	95	Wilson
32	Hamblen	64	Moore		