Department of Children's Services

POLICY

16.20, Custodial Relative/Kinship Foster Home Approval	
Application: DCS Child Protective Services, Foster Care and Supervisory Staff, and Contract Agency Staff	
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; ACYF-CB-PI- 23-10, Administration for Children and Families.	**Standards: COA:** CFS 5.03; 11.01; 12.01; 12.03; 23.01; 23.02; 23.04; 23.06; 23.07; 23.09; 23.10; and 24.
Commissioner: Margie Quinn	**Date:** 01/09/2026
Original Effective Date: 03/05/2007 Current Effective Date: 02/09/2026	Supersedes: 03/07/2024 Last Review Date: 7/11/2025

Glossary:

- Code X III Name Check
  - A criminal background check used by social service agencies authorized under an approved state statute to receive criminal record information for the emergency placement of children where the child's health and safety may be endangered.
- Relative/Kinship Caregiver
  - Individuals related to a child by blood, marriage, tribal custom, and/or adoption and other individuals who have an emotionally significant relationship with the child or the child's parents or other family members.
- Substantiated Report
  - Any closed CPS case where a preponderance of evidence exists to support that the reported allegation(s) occurred.

Policy Statement:

When the child cannot safely remain in his or her home, the Department of Children's Services will seek to place a child with persons whom the child and/or child's family has had a significant relationship to minimize the trauma of a custodial episode. This policy is also applicable to relatives and kin who are prospective placement resources for children under the Interstate Compact on the Placement of Children (ICPC).

Purpose:

To ensure identified relatives and kin are equipped to provide care and meet the minimum guidelines to become a foster parent.

Procedures:

A. Placement with Custodial Relative/Kinship

1. The Department of Children's Services will make efforts to place a child with persons whom the child and/or child's family has had a significant relationship to minimize the trauma of a custodial episode as outlined in **TCA 37-5-106, Adoption and Safe Families Act P.L. 96-272, TCA 37-4-201 et seq.** and **Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006.**
2. Once a relative or kinship placement is identified, disclosures regarding permanency will be provided by the Kinship Coordinator or Regional Operations Case Managers and discussed with the relative/kinship and an assessment of the appropriateness of the placement will take place prior to the placement of the child within the home.
   a) The assessment includes the following:
      - Review of documentation requested from and completed by the relative/kinship
      - Background Checks of all adults in the home
      - Assessment of the individual's home
   b) More detailed information regarding the forms and documents required during the assessment can be found in the ***Protocol for Statewide Custodial Relative/Kinship Placement***.
3. During the placement assessment process, Relative/Kinship placements are informed of Tennessee Code Annotated, Section 37-2-414(e)(2)(B)(i): It is an offense for a foster parent from a kinship placement to knowingly allow a child in the foster parent's care to visit with the child's parent if the foster parent had knowledge of a current court order prohibiting the parent from visiting with the child. (ii) A first violation of subdivision (e)(2)(B)(i) is a Class C misdemeanor punishable by a fine only. (iii) A second or subsequent violation of subdivision (e)(2)(B)(i) is a Class B misdemeanor.

B. Background and Criminal Records Clearance

1. A complete criminal history check includes the following five (5) checks to ensure all adult household members meet state, federal and DCS qualifications regarding a criminal history. The completion of all checks must consider current, maiden, and any other previous legal names. The five (5) checks include:

a) Local criminal records check from local Law Enforcement or county court for each jurisdiction resided in within the immediate six (6) months prior to assessment.

b) Purpose I Name Check.

c) A DCS database records check.

d) A system dated Internet Records Clearance.

e) A TBI/FBI fingerprint check.

2. Older birth or adopted children who are living in the home of the relative/kinship placement that turn 18 (eighteen) years old after the home has been approved are to complete the full criminal history background check process, with the exception of fingerprinting, at the anniversary assessment after the child turns 18 (eighteen).
3. Complete background checks are required for a new adult household member who will reside in the foster home for more than 14 (fourteen) calendar days.

C. Resource Eligibility Team (RET)

In order to ensure that federal IV-E safety requirements are met for funding purposes, the Resource Eligibility Team (RET) reviews the documentation used to support the foster home approval decision. Safety documents for Contract Agencies and DCS foster homes are entered in the Electronic Records System and attached to the foster home's current home study assessment. Refer to the ***Protocol for Resource Eligibility Team (RET)*** for more information.

D. ICPC Placement Resources

ICPC requests from a sending state for the purpose of any type of relative/kinship placement, including a parent study, will be approved as outlined above.

E. Continued Assessment

Foster Care Support (FCS) staff will complete on-going anniversary assessments within one (1) month of the approval anniversary adding a new assessment in the electronic record until permanency is reached and the relative/kinship home is closed. The FCS worker will discuss the on-going safety and well-being of all household members, training needs, permanency outcomes, continued board payment, and home safety. The anniversary assessment process consists of the following items:

1. A home visit by the FCS staff.
2. Completion of **CS-0692, Foster Home Assessment or Reactivation**.

F. Transfer of Expedited Foster Home

1. The transfer of a relative/kinship foster home cannot occur until full approval is met. Refer to DCS Policy ***31.3, Case Transfer Guidelines Between Regions, Agencies, and Facilities*** and the ***Protocol for Re-Activation or Re-Classifications of Foster Homes***.

G. Resources:

1. For further information regarding completion of background checks, placement across regional lines, and specific tasks and responsibilities, refer to the ***Protocol for Statewide Custodial Relative/Kinship Placement***.

Forms:

CS-0692, Foster Home Assessment or Reactivation

Collateral Documents:

Protocol for Statewide Custodial Relative/Kinship Placement

Protocol for Resource Eligibility Team (RET)

31.3, Case Transfer Guidelines Between Regions, Agencies, and Facilities

Protocol for Re-Activation or Re-Classifications of Foster Homes