



**Administrative Policies and Procedures: 16.16**

<b>Subject:</b>	<b>Denial, Closure, Suspended Admissions, or On-Hold Status of Foster Homes</b>
<b>Authority:</b>	TCA 36-1-126, 37-5-105 (3), 37-5-106, 37-4-201 et seq, Adoption and Safe Families Act P.L. 96-272, TCA 37-4-2-1 et seq, Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006 - P.L. 109-239
<b>Standards:</b>	<b>COA:</b> PA-CFS 23.08, PA-CFS 26.03, PA-CFS-26.05
<b>Application:</b>	DCS Foster Care and Supervisory Employees, and Contract Provider Employees
<b>Policy Statement:</b>	
<p>The Department of Children's Services (DCS) may deny any application for foster parenting, close an existing approved foster home, or suspend admissions if the foster parents cannot meet the minimum approval requirements, or are not promoting the DCS Standards of Professional Practice. Foster parents are permitted to place their own home on-hold, providing them an opportunity to take a break from being contacted about or accepting new placements.</p>	
<b>Purpose:</b>	
<p>The procedures outlined in this policy identify processes and provide instruction related to the status of a foster home including denial, closure, suspension, or on-hold status.</p>	
<b>Procedures:</b>	
<b>A. Potential Reasons for Denial of a Foster Parenting Application</b>	<ol style="list-style-type: none"> <li>1. An application for foster parenting <u>may</u> be denied if the family does not meet all the requirements for an approved foster home. The reason for denial is addressed with the foster parent applicant, documented in writing, entered into TFACTS and maintained in the Foster Home electronic case record.</li> <li>2. Appropriate reasons for denial of application include, but are not limited to: <ol style="list-style-type: none"> <li>a) Failure to complete TN Knowledge Empowers You (TN KEY) pre-service training;</li> <li>b) Failure or refusal to furnish completed forms or required documentation within time frames requested or beyond two (2) weeks after the completion of TN KEY;</li> <li>c) Unresolved concerns from the foster home study and training process. (Refer to DCS Policy <a href="#">16.4, Foster Home Selection and Approval</a>, and the <i>TN KEY Mutual Selection Criteria</i>.) These concerns are documented and are behaviorally specific;</li> </ol> </li> </ol>

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	<ul style="list-style-type: none"> <li>d) Failure to meet minimum requirements and expectations for foster parents;</li> <li>e) Insufficient income to meet financial obligations;</li> <li>f) Medical problems (physical or mental) that inhibit the ability to care for the child;</li> <li>g) Engaging in conduct which fails to support mental, ethical, and emotional development of children placed in their care, including but not limited to, expressions of bias or derogatory language against any social group based on race, color, national origin/ethnicity, gender identification or sexual orientation;</li> <li>g) Criminal charges or convictions, particularly those that may include crimes involving children, are drug related or are felony crimes against persons as outlined in Policy <a href="#">16.4, Foster Home Selection and Approval</a>, Section J;</li> <li>h) History of inadequate parenting of biological or adopted children;</li> <li>i) Child Protective Services case history especially with a substantiation of abuse or neglect; or</li> <li>j) A voluntary withdrawal of the application by the applicant.</li> </ul> <p><b>Note:</b> As appropriate, a copy of the denial of a foster parent application is forwarded to the TN DCS State ICPC office and entered into TFACTS/ICPC/ICJ screens by the Regional DCS Placement Services Division (PSD), or Foster Parent Support (FPS) staff.</p>
<p><b>B. Potential Reasons for Closure of an Existing Foster Home</b></p>	<p>1. An existing foster home <u>may</u> be closed if the family fails to maintain all the requirements for an approved foster home. Appropriate reasons for closure of an approved home include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Failure to maintain the requirements for foster parents or residence;</li> <li>b) Demonstrated inability to effectively parent children in state custody;</li> <li>c) Inability to cooperatively participate in Permanency Plans for children;</li> <li>d) Inability to meet the special needs of children;</li> <li>e) Failure to accept placement of a child. Refer to <a href="#">Guidelines for Foster Home Closure</a>;</li> <li>f) Insufficient income to meet financial obligations;</li> <li>g) Medical problems (physical or mental) that inhibit the ability to care for the child;</li> <li>h) While acting in the role of foster parent, engaging in conduct which fails to support mental, ethical, and emotional development of children placed in their care, including but not limited to, expressions of bias or derogatory language against any social group based on race, color, national origin/ethnicity, gender identification or sexual orientation;</li> </ul>

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	<p><b>Note:</b> A foster parent appropriately recognizing that they are not the most appropriate placement for a child based upon the child’s race, color, national origin/ethnicity, gender identification or sexual orientation, and discussing the same with the agency and not the child is not an automatic basis for closure of a foster home.</p> <ul style="list-style-type: none"> <li>i) Failure to preserve contractual partnership with the department by interfering with permanency goals, promoting negative speech regarding the department or partner contract agencies;</li> <li>j) Conflict or instability due to family crisis or personal hardship;</li> <li>k) Failure to preserve the continuity and value of the child’s spiritual, racial, ethnic, and/or cultural identity;</li> <li>l) Failure to complete in-service training or requirements outlined in DCS Policy <a href="#">16.8, Responsibilities of Approved Foster Homes</a>;</li> <li>m) Criminal charges or conviction, particularly those that may include crimes involving children, are drug related, or are felony crimes against persons;</li> <li>n) Exigent removal as determined from Special Investigations Unit (SIU) investigation;</li> <li>o) Investigation case which substantiated abuse or neglect; or</li> <li>p) At the request of the foster parent.</li> </ul> <p>2. The reasons for closure of an existing foster home is addressed with the foster parent and documented in writing in the home closure letter.</p> <p>3. Reasons for closure of an existing foster home is entered in TFACTS and maintained in the foster home electronic record.</p> <p><b>Note:</b> As appropriate, a copy of the closure of an existing foster home is forwarded to the TN DCS State ICPC office and entered in TFACTS/ICPC/ICJ screens by the Regional DCS Placement Services Division (PSD) or the Foster Parent Support (FPS) staff.</p>
<p><b>C. Potential Reasons for Suspended Admission or On-Hold Status of a Foster Home</b></p>	<p>1. <b>Suspended Admissions</b> An approved or expedited foster home managed by a contract agency, DCS, or is a shared foster home, may be placed on suspended admissions for reasons that include:</p> <ul style="list-style-type: none"> <li>◆ The household is not approved according to IV-E eligibility requirements;</li> <li>◆ License compliance violations;</li> <li>◆ Performance – safety &amp; well-being issues; or</li> <li>◆ Foster home under SIU investigation.</li> </ul> <p>2. <b>Foster Homes Under SIU Investigation</b></p> <ul style="list-style-type: none"> <li>a) Foster homes that have an open SIU investigation are placed on suspended admissions.</li> </ul>

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	<p>b) Foster Home Quality Team staff are responsible for documenting all suspensions in TFACTS.</p> <p><b>Note:</b> Suspensions are entered in TFACTS upon initial notification from the SIU of Child Protective Services.</p> <p>c) Upon notification of a case closed with no concerns noted by either SIU or a Foster Home Quality Team Panel member, the suspended admission is ended. If there are concerns noted by SIU, a member of the panel or regional staff, the suspended admissions remains in place until a decision is made to end the suspended admissions.</p> <p>d) The Regional Foster Parent Support (FPS) representative and Contract Agency must receive notification that the suspended admissions has ended before additional children can be placed in a suspended admissions foster home or an adoption/permanent guardianship placement can be finalized.</p> <p><b>3. On-Hold</b></p> <p>a) An approved foster home managed by a contract agency, DCS, or is a shared foster home, may be placed on hold for reasons that may include:</p> <ul style="list-style-type: none"><li>◆ The home is at maximum capacity;</li><li>◆ Recent adoptions or permanent guardianship of children;</li><li>◆ At the request of the foster parent; or</li><li>◆ Other reasons determined by Regional FPS.</li></ul> <p>b) An approved or expedited home cannot be considered for placement while on-hold for any reason noted above or at the foster parent's request. Any Foster Parent Support Team Leader or Placement Services Team Coordinator may place DCS homes on-hold or end the on-hold status in TFACTS.</p> <p>c) When a foster home is placed on-hold, no additional children may be placed in the foster home including all respite placements.</p> <p><b>Note:</b> For procedures on conducting reviews on SIU notices and case closures of foster homes, refer to the <a href="#"><u>Protocol for Foster Home Quality Team</u></a>.</p>
<p><b>D. Performance Improvement Plan (PIP)</b></p>	<ol style="list-style-type: none"><li>1. If problems arise in an approved foster home, the FPS staff member may develop a Performance Improvement Plan (PIP) (refer to form <b>CS-0909, Foster Home Performance Improvement Plan</b>) with the foster parents. The Foster Home PIP defines the areas to be improved and includes specific action steps to achieve improvement within specific timeframes.</li><li>2. The PIP is reviewed and signed by the Team Leader, FPS staff, the foster family and contract agency staff. The plan is entered in TFACTS and tracked according to established time frames outlined in the PIP.</li><li>3. In cases of ICPC, a PIP is developed with appropriate personnel in the sending state who retain the responsibility to plan for the child/youth. The TN DCS TL is responsible for coordinating reviews and obtaining signatures of appropriate personnel in the sending state. A copy of the PIP, and any subsequent</li></ol>

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	<p>summary of the outcome of that Plan, is forwarded to the TN DCS State ICPC office by the Regional DCS FPS staff.</p> <ol style="list-style-type: none"> <li>4. Performance improvement may also be used when a family fails to meet the training requirements outlined in this policy and those outlined in DCS Policy <a href="#"><u>16.8, Responsibilities of Approved Foster Homes</u></a>.</li> <li>5. During reassessment of approved foster homes, form <b>CS-0909, Foster Home Performance Improvement Plan</b> is developed if not all areas of compliance have been met. If the PIP does not remedy the problems, FPS staff initiates the closure process as outlined in this policy and close the foster home in TFACTS.</li> </ol>
<p><b>E. Decision Making about Denial and Closure</b></p>	<ol style="list-style-type: none"> <li>1. If a justification for denial or closure appears to be present, staff discuss concerns with supervision as soon as they are identified.</li> <li>2. For fully approved homes in which there are concerns and a child is placed in the home, a CFTM is convened to address identified concerns, consider on-hold or suspended admissions status or closure.</li> <li>3. During the CFTM, the FPS staff member, TL/supervisor, and contract agency designated staff:             <ol style="list-style-type: none"> <li>a) Recognize the family’s strengths;</li> <li>b) Review information which has created a concern;</li> <li>c) Allow the family to offer clarity;</li> <li>d) Attempt to identify possible solutions to discuss whether the family could benefit from a PIP;</li> <li>e) Inform the family of possible next steps; and</li> </ol> <p><b>Note:</b> In cases of ICPC, the DCS supervisor makes every effort to include equivalent personnel from the sending state in this meeting.</p> </li> <li>4. In ICPC cases, a copy of the letter is provided to the TN DCS State ICPC office and the equivalent personnel in the sending state immediately by the acceptable method for expedited communication, including electronic transmission including scan or email, fax or overnight mail. The TL and the sending state personnel determines alternate placements for ICPC child/youth placed in the home including but not limited to:             <ol style="list-style-type: none"> <li>a) Return to the jurisdiction of the sending state;</li> <li>b) Re-placement in Tennessee with another approved foster home; or</li> <li>c) An emergency placement pending return to the sending state.</li> </ol> </li> </ol>
<p><b>F. Supervisory Review</b></p>	<ol style="list-style-type: none"> <li>1. Approved foster homes are eligible for a Supervisory Review; pending or unapproved homes are not. A case may not be subject to a supervisory review if the foster home closure is due to reasons described in section B1 (m-o), or court orders that prohibit the department from considering a re-opening of a foster home.</li> <li>2. Upon written request for a supervisory review by the foster family, the Team Coordinator (TC) or contract agency designated staff complete an in-person review within fifteen (15) days. The foster family may invite up to three (3)</li> </ol>

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	<p>individuals to speak on their behalf. One of the additional people may be an attorney, but the review is not to be considered an adversarial legal proceeding in nature. The region’s Foster Parent Advocate is to be invited. Any other supervisory staff may attend at the discretion of the TC or contract agency designated staff.</p> <p>3. The TC, in collaboration with the Regional Director (RD)/designee, make the final decision regarding closure after reviewing DCS information and allowing the family to discuss their concerns.</p> <p><b>Note:</b> In ICPC cases, copies of any documents that were part of the review and the letter outlining details regarding the circumstances and decision made to the sending state through the TN ICPC office.</p> <p>4. The Central Office Foster Care unit is available to provide assistance in cases where the decision is in question at the regional level.</p> <p>5. These activities are documented in TFACTS as a Foster Home Concern in the case recording section of the foster home record.</p> <p><b>Note:</b> Foster parents are not recipients of a service from DCS and, therefore, are not eligible for an administrative appeal.</p>
<p><b>G. Documentation and Case File Disposition</b></p>	<p>1. The FPS staff member clearly documents in the foster home electronic file and case recordings the reasons a foster home application is denied, closed, placed on suspended admissions or on-hold status. Any documents related to the denial, closure or suspended admissions is uploaded in TFACTS.</p> <p>2. When applicable, the foster home electronic record is closed.</p> <p>3. If a hard case file exists, the FPS worker prepares the foster home file for storage and includes: foster family name, Resource Home (RH) ID#, date of closure and county of closure. The closed foster home study file is maintained in the office’s closed files in accordance with the <a href="#">Records Disposition Authority (RDA)-Placement-2877</a>.</p>

<p><b>Forms:</b></p>	<p><a href="#">CS-0692, Foster Home Assessment or Re-Activation</a>  <a href="#">CS-0909, Foster Home Performance Improvement Plan</a></p> <p><b>Note: Contract agencies may use equivalent forms, provided the content of the forms capture the content of the forms listed above.</b></p>
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<p><b>Collateral Documents</b></p>	<p>Performance Improvement Plan (if applicable)          Training Verification          Exit Survey - link provided in closure letter  <a href="#">Protocol for Foster Home Quality Team</a>  <a href="#">Foster Parents Bill of Rights (Foster Parent Handbook)</a>  <a href="#">16.7 Attachment-Resolution of Disagreements and/or Conflicts Between</a></p>
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	<p><a href="#"><u>Foster Parents and DCS</u></a> <a href="#"><u>Guidelines for Foster Home Closure</u></a></p>
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