



**Policy Attachment: 16.7**

<b>Subject:</b>	<b>Resolution of Disagreements and/or Conflicts Between Foster Parents and DCS</b>
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**ADDITIONAL INFORMATION:**

The Tennessee General Assembly amended the Tennessee Code Annotated (TCA) in 1997 resulting in the Foster Parent Bill of Rights. The intent of the Foster Parent Bill of Rights is to ensure children ordered into the custody of DCS and placed with foster parents receive the care intended by providing foster parents with tools needed to provide said care.

In 2009, the Tennessee General Assembly amended this legislation to provide foster parents with a mechanism to formally submit complaints to DCS when they believe "the department, an employee of the department, and/or an agency under contract with the department, has failed to follow the tenets listed in TCA Section 37-2-415(a), AND when such failure has harmed or could harm a child who is or was in the custody of the department or such failure has inhibited the foster parent's ability to meet the needs of a child as in the permanency plan."

There are three (3) requirements to be met:

- a) The complainant is currently an approved foster parent,
- b) There has been failure to follow a tenet of the Foster Parent Bill of Rights; and
- c) Such failure has caused or could cause harm to a custodial child OR such failure has inhibited the foster parent's ability to follow the permanency plan.

**PROCEDURE:**

**1. Report :**

- a) Foster parents first report to the DCS Family Service Worker (FSW), Foster Parent Support (FPS), Advocate or Contract Agency Case Manager for which they serve as a foster home, whichever is appropriate based on their situation, and immediately report the harm or potential harm to the child OR of the inhibited ability to comply with the permanency plan.
- b) If the foster parent believes the child is in imminent risk of harm, the Child Abuse Hotline should be contacted immediately at 1-877-237-0004.

**2. Response:**

DCS Regions and Contract Providers follow local protocol to resolve the issue. Each Contract Provider and DCS Region should have a written protocol that is followed in the event of a foster parent issue. A copy of this protocol should be provided to foster parents during the TN KEY Training process and should outline the process and provide information to the foster parent regarding the Bill of Rights and the Advocates Program.

**3. Unsatisfactory or Inadequate Resolution:**

- a) Foster parent (s) contact either the DCS FSW or Contract Provider Case Manager's supervisor. The supervisor follows the steps outlined in local protocols, which will include a CFTM. The supervisor invites the Regional Foster Parent Advocate to the CFTM.

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- b) Contract Provider foster parents may contact the Contract Provider Executive Director or their designee to address issues for which resolution has not been achieved.
- c) If attempts by the supervisor are not successful, the issue is reviewed at the DCS Regional Office level. This review includes an in-person interview between the foster parent and the Regional Administrator or designee and a review of the CFTM summary noted above.
  - ◆ DCS foster parent(s) contact the Regional Administrator or his/her Designee in writing.
  - ◆ If the issue cannot be resolved at the Contract Provider level, Contract Provider Foster Parents contact the DCS FSW and their supervisor for resolution. If they cannot resolve the issue, they may contact the appropriate DCS Regional Administrator/Designee in writing.
  - ◆ The Regional Administrator/Designee notifies TCCY Ombudsman, the Executive Director of Child Permanency/Designee, the Contract Agency designee and the Regional Foster Parent Advocate that a complaint has been received.
  - ◆ The Regional Administrator may schedule a conference call or meeting with a representative of the Office of Child Permanency and the Contract Provider (if a Provider Foster Parent) to discuss the issue and develop resolution. If necessary, the representative of the Office of Child Permanency may consult with Legislative & Constituent Services (LCS). This step is left to the discretion of the Regional Administrator.
  - ◆ The Regional Administrator/Designee provides a written response to the foster parent and Contract Agency Provider, when appropriate, within thirty (30) days of the postmarked complaint. Statewide Lead Advocates and the Division of Foster Care and Adoption are copied on the response and the TCCY Ombudsman Program is notified.

**4. Requests/Notification**

If attempts by the RA/Designee are not successful the foster parent may request, in writing, a Central Office review.

- a) Requests can be sent via certified mail to:  
**Tennessee DCS- Executive Director of Child Permanency**  
**UBS Tower, 9<sup>th</sup> Floor, 315 Deaderick Street, Nashville, TN 37201**
  - ◆ Requests may also be emailed to the Executive Director of Child Permanency at [FosterParent.EIDCS@tn.gov](mailto:FosterParent.EIDCS@tn.gov). Emailed requests will be acknowledged via automated email. A request is not considered as being received unless the automated email has been received by the sender.
- b) The TCCY Ombudsman Program, the Regional Administrator, Tennessee Advocacy Program, and the Private Provider designee (if a Contract Provider Foster Parent) are notified that TDCS has received a complaint from a Foster Parent.
- c) The department conducts the review and provides a written response to all appropriate parties within thirty (30) days of the postmark on the written request. The review includes an in-person interview with the foster parent. A representative of the Division of Foster Care and Adoption and others, as appropriate, may be included in the meeting with the foster parent. All other parties (Foster Parent Advocate, Contract Provider, TCCY Ombudsman, etc) are copied on the response.

**Note:** A foster parent may make a report or complaint to the TCCY Ombudsman Program at any time.