



**Administrative Policies and Procedures: 12.12**

<b>Subject:</b>	<b>Referrals, Transfers, Placement Termination, and Reclassification of Youth in DCS Group Homes</b>
<b>Authority:</b>	TCA 37-5-105, 37-5-106, 37-1-134 (h) and (j)
<b>Standards:</b>	<b>DCS Practice Standards:</b> 5-301A, 5-303B, 5-304B, 6-502A, 6-508B, 6-513C, 7-200A, 8-306, 11-310B; <b>COA:</b> Pa-G15, 1.05C; COA GLS 1.05
<b>Application:</b>	To All Department of Children's Services Juvenile Justice Employees

**Policy Statement:**

Referrals, transfers, placement terminations, or reclassification of youth at DCS Group Homes that meet criteria will be allowed for the immediate health, safety, or security of the facility and/or youth. All referrals, transfers, placement terminations, or reclassification will include due process safeguards and the opportunity for the youth to appeal decisions.

**Purpose:**

The referrals, transfers, placement terminations, or reclassification of youth between DCS Group Homes shall be for the purpose of meeting identified treatment needs. Youth may be terminated from a DCS Group Home if they are found guilty of violations of the law, major infractions of rules, policy, or of repeated minor incidents of inappropriate behavior. A youth may be reclassified as appropriate for treatment and/or environmental needs.

**Procedures:**

<b>A. Referrals</b>	<p>Youth who meet criteria for referral to DCS Group Homes may be referred by Youth Development Center classification or treatment teams, regional resource management teams, or by other DCS Group Home treatment teams.</p> <ol style="list-style-type: none"> <li>1. For all DCS Group Home referrals, please refer to DCS Policy <a href="#">16.46 Child/Youth Referral and Placement</a>.</li> <li>2. A pre-admission interview with the youth may be arranged through the referral source within five (5) working days of receipt of the referral.</li> <li>3. Youth accepted into the group home who are on AWOL status will remain on the waiting list for the group home until apprehended. Once the youth is apprehended, regional staff must determine (via a CFTM) the continued appropriateness of the recommended placement into the group home. Disputes</li> </ol>
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	<p>of the appropriateness of the youth for the group home may be appealed through the RAC.</p>
<p><b>B. Referral Log/Waiting list</b></p>	<ol style="list-style-type: none"> <li>1. Each group home supervisor (or designee) will maintain a log of referrals that includes:             <ol style="list-style-type: none"> <li>a) Youth’s name;</li> <li>b) Date of Referral;</li> <li>c) Date of Response;</li> <li>d) Denial or Acceptance of referral; and</li> <li>e) Source of referral</li> </ol> </li> <li>2. The waiting list for each group home will be maintained at each group home site. If placed on the waiting list, the group home supervisor will notify the referent when a placement becomes available. The referent will be responsible for coordinating transportation for the youth to the group home.</li> </ol>
<p><b>C. Admission</b></p>	<p>Upon acceptance of the referral to the group home, the following information must be forwarded to the group home in order for the youth to be admitted:</p> <ol style="list-style-type: none"> <li>1. School Records</li> <li>2. Social Security card (or proof of application)</li> <li>3. Court orders (including commitment order)</li> <li>4. Birth Certificate (or proof of application)</li> <li>5. TennCare card (or proof of application)</li> <li>6. Critical medical information that must include:             <ol style="list-style-type: none"> <li>a) Authorization for Routine Health Services for Minors (signed by the parent on form <b>CS-0206, Authorization for Routine Health Services For Minors</b>);</li> <li>b) Completed Well-Being Information and History (form <b>CS-0543, Well Being Information and History</b>)</li> <li>c) List of medications;</li> <li>d) Signed informed consent for psychotropic medications (form <b>CS-0627, Informed Consent for Psychotropic Medication</b>;</li> <li>e) Immunization record;</li> <li>f) List of verified allergies;</li> <li>g) Current medical treatments, if any;</li> <li>h) Medical and psych records relative to current treatment; and</li> </ol> </li> <li>6. Status of EPSDT screening (include copy of screening, if available)</li> </ol>
<p><b>D. Reasons for Transfers</b></p>	<ol style="list-style-type: none"> <li>1. A youth may be transferred between DCS Group Homes if, within the context of a Child and Family Team meeting (refer to DCS policy <a href="#">31.7 Building,</a></li> </ol>

	<p><u><a href="#">Preparing and Maintaining Child and Family Teams</a></u>, it is determined that a transfer to another program can more suitably meet the youth's treatment needs.</p> <p>2. Emergency transfers for the safety of youth, or other youth, or the security of the facility must originate with a facility treatment team meeting. Both the sending and receiving Group Home Director must approve an emergency transfer. The final approval will be given by the Division of Juvenile Justice Program Development and Management.</p>
<p><b>E. Terminations</b></p>	<p>1. If the decision is to terminate the group home placement, then the Department of Children's Services treatment team must reclassify the youth and must make appropriate placement recommendations, according to the following:</p> <ul style="list-style-type: none"> <li>a) The recommended placement must be the least restrictive environment available to meet the youth's needs.</li> <li>b) The youth may be considered for placement in another DCS Group Home, other alternative program, or a youth development center.</li> <li>c) Youth committed to DCS as dependent/neglect or unruly must not be placed in youth development centers or detention facilities or in DCS group homes designed for delinquent youth.</li> <li>d) Mentally retarded offenders may not be placed in youth development centers without the approval of a Special Services staffing team and the Commissioner of the Department of Children's Services or designee.</li> </ul> <p>2. <b>Disciplinary hearings</b></p> <ul style="list-style-type: none"> <li>a) <b>Program/policy infractions:</b> When it is reported that a youth has been involved in an infraction of DCS Group Home rules and/or policy or DCS policy, he or she must receive a disciplinary hearing and be notified of appeal rights.</li> <li>b) <b>Legal infractions:</b> When a youth is charged with a law violation, the court hearing may suffice as a disciplinary hearing. If the court adjudicates on the charge, the treatment team may consider the youth for termination or emergency transfer.</li> </ul> <p>3. <b>Departmental/program infractions</b></p> <ul style="list-style-type: none"> <li>a) If a youth is found to have committed a departmental or program infraction, the hearing officer or disciplinary committee may recommend to the youth's treatment that the youth be considered for termination.</li> <li>b) The youth may appeal the disciplinary action in accordance to DCS policy <u><a href="#">25.6 Disciplinary and Appeal Process for Youth in DCS Group Homes</a></u>.</li> </ul> <p>4. <b>Child and Family Team Decision:</b></p> <ul style="list-style-type: none"> <li>a) The Child and Family Team must review the case and consider all circumstances and make a final decision about the youth's program.</li> <li>b) In cases where the youth poses a serious threat of harm to him/herself, other youth in the program, or DCS Group Home staff, the group home treatment team may request immediate removal. In these cases, a CFTM</li> </ul>

	<p>will be held within five (5) working days.</p> <p>c) Create or add child and family team meeting information to the appropriate CFTM screen in the <i>current child welfare information system</i><sup>1</sup>.</p>
<p><b>F. Procedures for appeals of denial of placement upon referral</b></p>	<ol style="list-style-type: none"> <li>1. The first level for regional appeal of denial of placement of a delinquent youth is to the central office population committee (Refer to DCS Policy <a href="#">11.3 Criteria for Assessment Sites for Delinquent Youth</a>).</li> <li>2. Upon receipt of denial of placement referral from a DCS group home by the central office population committee, the regional placement unit may file (via facsimile or e-mail) an appeal packet with the RAC (via the Commissioner’s office) with a copy of the appeal packet being forwarded to the denying DCS group home.</li> <li>3. The appeal must be filed with the RAC within five (5) working days of receipt of the denial of placement into a DCS Group home.</li> <li>4. The Appeal packet must include:             <ol style="list-style-type: none"> <li>a) Form <b>CS-0585, Appeal of Placement Denials</b>, which must include a narrative from the appealing regional placement unit indicating the reason for the appeal with appropriate citations to DCS policy;</li> <li>b) A copy of the referral packet; and</li> <li>c) A copy of the denial of placement by the DCS group home.</li> </ol> </li> <li>5. Upon receipt of the appeal packet, the denying DCS group home has one (1) working day to provide a narrative indicating any additional information to support the denial to the RAC (via the Commissioner’s office).</li> </ol>
<p><b>G. Procedures for appeals of termination from a DCS group home</b></p>	<ol style="list-style-type: none"> <li>1. Upon disagreement of a decision to terminate a youth from placement in a DCS group home, the regional resource management unit may file a statement of objection (form <b>CS-0586, Statement of Objection</b>) with the DCS group home within twenty-four (24) hours of the disruption staffing which resulted in termination from the DCS group home.</li> <li>2. Following receipt of the statement of objection, the DCS group home may file (via facsimile or e-mail) an appeal with the RAC (via the Commissioner’s office) with a copy of the appeal packet being forwarded to the regional placement unit.</li> <li>3. Pending the decision of the RAC of the appeal, the youth will remain placed at the DCS group home. However, the DCS group home may request immediate removal of the youth in extenuating circumstances where the youth may pose a serious threat of harm to him/herself, other youth in the program, or DCS group home staff.</li> </ol>

<sup>1</sup> **NOTE:** TNKids is the current DCS child welfare information system and will be replaced by the new system “TFACTS” in the near future. When TFACTS is fully implemented, all references to TNKids or “*current child welfare information system*” will mean TFACTS.

	<ol style="list-style-type: none"> <li>4. The appeal packet must be filed with the RAC within five (5) working days of the disruption staffing and reclassification decision of the treatment team.</li> <li>5. The Appeal packet must include:             <ol style="list-style-type: none"> <li>a) Appeal of denial (form <b>CS-0585, Appeal of Placement Denials</b>);</li> <li>b) A narrative from the DCS group home indicating the reason for the appeal, citing all appropriate DCS policies;</li> <li>c) A copy of the disruption staffing and reclassification documentation; and</li> <li>d) A copy of the statement of objection (form <b>CS-0586, Statement of Objection</b>) filed by the regional resource management unit.</li> </ol> </li> <li>6. Upon receipt of the appeal, the disagreeing regional placement unit has one (1) working day to provide a narrative indicating why the disruption was inappropriate to the RAC.</li> </ol>
<p><b>H. Decisions of the RAC</b></p>	<ol style="list-style-type: none"> <li>1. The Chairman of the RAC will notify the independent regional representative of the filed appeal and will distribute all appeal information to the regional representative.</li> <li>2. The independent regional representative will then distribute information to the other RAC members immediately upon receipt.</li> <li>3. The RAC will conference (in-person or via telephone) to discuss the appeal.</li> <li>4. The RAC may request additional information that it deems relevant on a case-by-case basis.</li> <li>5. Each member will have a vote as to whether the underlying decision on the appropriateness of the denial/termination.</li> <li>6. The RAC must make a decision based upon the information received within five (5) working days of the filing of the appeal packet.</li> <li>7. The decision will be communicated by the RAC Chairman to each party via e-mail, which will be followed within twenty-four (24) hours by a letter further setting out the decision.</li> </ol>
<p><b>I. Re-classification</b></p>	<p>A youth may be re-classified (Refer to DCS policy <a href="#">12.13 Reclassification</a>):</p> <ol style="list-style-type: none"> <li>1. If there are significant behavioral changes noted by employees;</li> <li>2. When new information about a youth has been received;</li> <li>3. If the youth is not adequately progressing in the program, or;</li> <li>4. If the youth needs a less or more restrictive environment.</li> </ol>
<p><b>J. Notifications</b></p>	<ol style="list-style-type: none"> <li>1. The sending group home will make contact with the parent(s) of the youth to be transferred/terminated within twenty-four (24) hours. The sending/ terminating DCS group home staff will also send a copy of form <b>CS-0309, Notification of Program Transfer</b>, to the committing court and will retain a copy of the form in</li> </ol>

	<p>the youth's case file.</p> <ol style="list-style-type: none"> <li>2. In the event of an Emergency transfer/termination, the sending group home, receiving team placement, family service worker, and parent(s) will convene via conference call within five (5) days of the transfer to hold a CFTM. The purpose of this meeting is to formalize the child's change in placement, and address the treatment needs of the child. The receiving placement will be responsible for the documentation of this meeting.</li> <li>3. If unable to attend the Child and family team meeting, the parents and Family Service Worker must be notified of the decision to transfer/terminate the youth, and must be sent a copy of the CFTM summary.</li> </ol>
<p><b>K. Transfer of Record/Property</b></p>	<ol style="list-style-type: none"> <li>1. For youth transferring between DCS facilities, the youth's case file including CFTM summary, current commitment order and all necessary supporting documentation must accompany the youth to the receiving facility. (See DCS policy <a href="#"><u>9.8, Transfer of Youth Case Files Between DCS YDCs and DCS Group Homes.</u></a>)</li> <li>2. For youth transferring outside of any DCS facility, supporting documentation will accompany the youth to the receiving placement.</li> <li>3. The youth's personal property must accompany the youth to the receiving placement or must be forwarded with twenty-four (24) hours.</li> </ol>
<p><b>L. Due Process Safeguards</b></p>	<p>The group home will provide due process safeguards to youth prior to or immediately after transfer depending on the severity of the situation.</p>
<p><b>M. Documentation</b></p>	<ol style="list-style-type: none"> <li>1. All significant information related to the transfer/termination or other placement decisions will be documented on the appropriate screens in the <i>current child welfare information system</i>, as applicable.</li> <li>2. For termination/reclassification of placement, the group home case manager must document the reclassification on form <b>CS-0230-Staffing Summary</b> and must include justification for termination, recommended placement, and continued treatment.</li> <li>3. Unless other requirements are specified in this policy for documentation, or events not documented elsewhere, or requiring broader explanation will be documented on the appropriate screens in the <i>current child welfare information system</i> within thirty (30) days from the date of the contact or occurrence.</li> </ol>

<b>Forms:</b>	<a href="#"><u>CS-0206, Authorization for Routine Health Services for Minors</u></a> <a href="#"><u>CS-0230, Staffing Summary</u></a> <a href="#"><u>CS-0309, Notification of Program Transfer</u></a> <a href="#"><u>CS-0476, Notification of Change of Circumstances</u></a> <a href="#"><u>CS-0585, Appeal of Placement Denials</u></a> <a href="#"><u>CS-0586, Statement of Objection</u></a> <a href="#"><u>CS-0747, Child and Family Team Meeting Summary</u></a>
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<b>Collateral documents:</b>	None
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