



Policy Attachment: 16.7

Subject:	Resolution of Disagreements and/or Conflicts Between Resource Parents and DCS
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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 Resource Parents receive the care intended by providing resource parents with tools needed to provide said care.

In 2009, the Tennessee General Assembly amended this legislation to provide Resource 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 Resource Parent's ability to meet the needs of a child as in the permanency plan."

There are two requirements to be met:

- a) Failure to follow a tenet of the Foster Parent Bill of Rights; and
- b) Such failure has caused or could cause harm to a custodial child OR such failure has inhibited the Resource Parent's ability to follow the permanency plan.

PROCEDURE:

1. Report :

Resource Parents should first report to the Department or Private Provider Agency for which they serve as a resource home, whichever is appropriate based on their situation.

- a) Resource Parent informs either the DCS Family Service Worker or Private Provider Case Manager immediately of the harm or potential harm to the child OR informs either the DCS FSW or Private Provider case manager of the inhibited ability to comply with the permanency plan.
- b) If the Resource Parent believes that 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 Private Providers will follow local protocol to resolve the issue. Each Private Provider and DCS Region should have a written protocol that should be followed in the event of a Resource Parent issue. A copy of this protocol should be provided to Resource Parents during the PATH Training process and should outline the process and provide information to the Resource Parent regarding the Bill of Rights and the Advocates Program.

3. Unsatisfactory or Inadequate Resolution:

- a) Resource Parent (s) shall contact either the DCS Family Service Worker (FSW) or Private Provider Case Manager's supervisor. The supervisor will follow steps outlined in local protocol, which will include a CFTM. The supervisor will invite the Regional Resource Parent Advocate to the CFTM.

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- b) Private Provider Resource Parents may contact the Private Provider Agency 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 will be reviewed at the DCS Regional Office level. This review shall include an in-person interview between the Resource Parent and the Regional Administrator or designee and a review of the CFTM summary noted above.
 - i. DCS Resource Parent(s) shall contact the Regional Administrator or his/her Designee in writing.
 - ii. If the issue cannot be resolved at the Private Provider agency level, Private Provider Resource Parents should contact the DCS FSW and supervisor for resolution and if they cannot resolve the issue, may contact the appropriate DCS Regional Administrator or his/her designee, in writing.
 - iii. The Regional Administrator or Designee will notify TCCY Ombudsman, the Executive Director of Child Permanency or designee, the Private Provider designee, and the Regional Resource Parent Advocate that a complaint has been received.
 - iv. The Regional Administrator may schedule a conference call or meeting with a representative of the Office of Child Permanency, and the Private Provider (if a Provider Resource 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.
 - v. The Regional Administrator/Designee will provide a written response to the Resource Parent and Private Provider, when appropriate, within 30 days of the postmarked complaint. Statewide Lead Advocates and the Division of Foster Care and Adoption will be copied on the response and the TCCY Ombudsman Program will be notified.

4. Requests/Notification

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

- a) Requests must be sent via certified mail to:
TDCS- Executive Director of Child Permanency
436 Sixth Avenue North, Nashville, TN 37243
 - ◆ Requests may also be emailed to the Executive Director of Child Permanency at ResourceParent.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 Private Provider Resource Parent) are notified that TDCS has received a complaint from a Resource Parent.
- c) The department shall conduct the review and provide a written response to all appropriate parties within 30 days of the postmark on the written request. The review shall include an in-person interview with the Resource Parent. A representative of the Division of Foster Care and Adoption and others, as appropriate, may be included in the meeting with the Resource Parent. All other parties (Resource Parent Advocate, Private Provider, TCCY Ombudsman, etc) will be copied on the response.

Note: A Resource Parent may make a report or complaint to the TCCY Ombudsman Program at any time.