Department of Children's Services
INSTRUCTIONS FOR USE OF FORM
CS-0670
Foster Parent Oath to Abide

All sections of the Foster Parent Oath to Abide will be reviewed with potential or existing foster parents. Foster parents will initial each area reviewed and will sign and date form verifying their responsibilities as a foster parent.

Foster Parent Oath of Confidentiality

The Tennessee Code Annotated (TCA) 36-1-125, requires that all persons affiliated with the Department of Children's Services (DCS) that have access to any records associated with children in custody maintain confidentiality and shall not be subject to disclosure except as provided by law. Unauthorized disclosure of any records, studies or information protected as confidential is a Class A misdemeanor. Unauthorized disclosure of such records for personal gain or for a malicious purpose is a Class E felony.

Social media connections are an important part of many families' lives, and thousands of Tennesseans use these channels to share and connect with friends. When it comes to sharing information about youth in state custody on social media sites, foster parents must use their best judgment and remember confidentially is a must -- even in the digital realm.

Before You Post
Foster parents and relative providers who use social media sites can post photos and videos on social networking sites that include foster children and youth, if the following conditions are met:

- Posting family photographs must be discussed within the Child and Family Team and agreed upon by the whole team, which includes birth parents, if they are active and involved, and the child, if age appropriate
- The children are not identified by name
- The children are not identified as foster children
- There is no discussion on social media sites and websites about the child, the child's case or the child's family
- Secure your privacy settings and location settings
- Talk to the youth and make sure he or she is comfortable with sharing information and images

Oath to Report Child Abuse and Neglect

The Tennessee Code Annotated (TCA) 37-1- 403, requires all persons to report suspected cases of child abuse or neglect. According to TCA 37-1-412, any person who knowingly fails to make a report required by § 37-1-403 commits a Class A misdemeanor. If you believe a child has been abused or neglected, Tennessee has 24 hour toll free number for reporting child abuse or neglect. The number to report any suspected child abuse or neglect is 1-877-237-0004.

The name of the person reporting suspected abuse is kept confidential, and he/she cannot be prosecuted for making a report in good faith. However, knowingly making a false report is a criminal offense.

Once a report is made, the authorities investigate, and if there is enough evidence to believe that abuse has occurred, the Child Protective Investigative Team decides the appropriate action to protect the child and the community. This could result in criminal charges being placed against the offender.

Possible Indicators of Abuse and Neglect

- The child has repeated injuries that are not properly treated or adequately explained.
- The child begins acting in unusual ways ranging from disruptive and aggressive to passive and withdrawn.
- The child acts in the role of parent toward their brothers and sisters or even toward their own parents.
- The child may have disturbed sleep (nightmares, bed wetting, fear of sleeping alone, needing a nightlight).
- The child loses his/her appetite, overeats, or may report being hungry.
- There is a sudden drop in school grades or participation in activities.
- The child may act in stylized ways, such as sexual behavior that is not normal for his/her age group.
- The child may report abusive or neglectful acts.

The above signs indicate that something is wrong but do not necessarily point to abuse. However, if you notice these signs early, you may be able to prevent abuse or neglect.

Rules and Penalties Regarding Child Safety Restraints

The Tennessee Code Annotated (TCA) 55-9-602, also requires any child under one (1) year old (even if he or she weighs over 20 pounds) or any child weighing 20 pounds or less must be in a rear facing restraint, in the rear seat, when available.

Any child aged 1 through 3 years weighing more than 20 pounds should be transported in a forward facing Child Restraint System in the rear seat, when available.

Any child 4 through 8 years old, measuring less than 4”9’ feet in height must be in a belt positioning booster seat, in the rear seat, when available. Provision is made for the transportation of the children in medically prescribed modified child restraints.

Children and youth ages 9 through 17 must use a passenger restraint system.

The driver of the car is responsible for making sure that children under age 16 are properly restrained and may be charged and fined $50 for violation of the law.

If the child’s parent or legal guardian is present in the car but not driving, the parent or legal guardian is responsible for making sure that the child is properly transported and may be fined for non-compliance.

As foster parents of DCS, we agree to always use safety restraints for the children in our car. This means the use of federally approved safety seats or restraints for children under the age of 18.

(See T.C.A 55-9-602. Child Passenger Restraint Systems – Violations- Penalties, for additional details)

Foster parents who are gun owners must adhere to the following:

a. Foster Parents in possession of a Handgun Carry permit as per TN CODE ANNOTATED: 39-17-316 should provide DCS/Private Provider staff with a photocopy of the permit for the Foster Home File.

- Each permit carrier will be responsible for the continual authorization of the permit every four (4) years.
- The permit holder will provide DCS/Private Provide staff with a copy of the gun permit at time of renewal.
- Foster Parents who do possess a Handgun Permit and choose to carry a weapon in the presence of the children in their care are always expected to exercise extreme caution.

b. If only one Foster Parent has a Handgun Carry Permit, both are still to initial as each will be responsible to follow DCS policy. Scan and upload the permit into TFACTS with this form.

c. Beginning July 1, 2021, state legislation allows constitutional carry of certain weapons without a permit.

Foster Parent Agreement: Pool & Other Water Hazards on Property

Home study writer and/or Foster Parent Support worker will discuss local, county, city ordinances and/or home owner's insurance requirements with regards to pool and other water hazard safety. Fencing/Locked gates and alarm system options will be discussed with the foster parent.

Foster Parent Involved Searches

Home study writer and/or Foster Parent Support worker will review policy 31.4 with all foster parents, discuss any concerns.

1. Prior to searching any child/youth, the staff person and foster parent need to consider the impact of the search based on several factors, including:
   - Any past history of trauma that a child/youth has experienced
   - What can be achieved by engaging in ONLY visual inspection or appearance
   - Child driven searches- (asking or requesting a child to "turn out" their pocket or self "pat down") in the presence of staff members and foster parents

2 When circumstances permit, two (2) staff members or one (1) staff member and one foster parent, as an observer only, is present when a search is conducted on a child/youth, prior to entering or after a child is placed into a foster home.

3 Foster parents may observe and/or participate in a search of a child/youth's personal property/room/area/ bags/suitcases/boxes or any other personal items ONLY if the FSW & Provider Staff is present.

4 If a foster child/youth has a history of concealing contraband/safety issues, or if there is a good and legal reason, the Child and Family Team may complete form ***CS-1044, Child Safety Plan***, during a Child and Family Team Meeting to address alternative search procedures.

Protocol for Drug and Medication Expectations for Approved Foster Homes and Medication Tracking

Home Study Writer and/or Foster Parent Support worker will review the ***Protocol for Drug and Medication Expectations for Approved Foster Homes*** with all foster parents and discuss any concerns. Staff will also discuss the expectation regarding proper administration of prescription drugs to children and documenting on ***CS-0630, Foster Home Prescription Medication Record***.

Foster Home Disclosure Acknowledgement

Home study writer and/or Foster Parent Support worker will explain that information regarding a foster parent's performance and quality of care as a foster parent will be shared between agencies if they choose to transfer or re-activate their services for an agency other than the current agency for the purpose of caring for children in state's custody. This is not applicable for Relative/Kinship foster homes.