Department of Children's Services

POLICY

16.31, Permanency Planning for Children/Youth in the Department of Children's Services Custody	
Application: To All DCS Family Service Workers, Contract Agency Staff, and Supervisory Staff	
Authority: TCA: 37-2-403, 37-2-404, 37-2-408, 37-2-409, 37-5-105(3), 37-5-106, TCA Section 4-17-02 Amendment; 36-1-102 (9), 37-1-166, 36-1-113, 37-1-174, 37-1-801, 37-4-201-207; P.L. 109-239; and P.L. 109-239 section 471 (a) (15); Rules of DCS – Procedures for Permanency Plans, Chapter 0250-07-01	**Standards:** ACA standard 5-JCF-6C-05 **COA:** PA-CFS 7-10; PA-CFS 13; PA-CFS 15.06-15.09; PA-CFS 16; PA-CFS 18.04-18.05; PA-CFS 18.07; PA-CFS-20; PA-CFS 27.04-27.05; PA-CFS 27.09; PA-CFS 28.04; PA-JJCM 4
Original Effective Date: 05/01/03 Current Effective Date: 02/16/2026	Supersedes: 10/31/23; 1/15/25 Last Review Date: 3/25/25

Glossary:

- Child and Family Team Meeting (CFTM)
  - CFTM is a philosophy that supports making the best possible decision in child-welfare cases. The quality of decision-making is improved because CFTM includes all the parties involved in a child/youth's case (child, if age-appropriate, birth parents and their support system, foster parents, DCS staff, community partners, and other involved parties), respecting the expertise that each party brings to the table. CFTMs should be characterized by respect, honesty, inclusiveness, and work towards building consensus in decision-making.
- Concurrent Planning
  - A method of case planning in which two permanency plan goals are implemented simultaneously in order to ensure the most expeditious permanence for children/youth. Successful concurrent planning requires a clear delineation of roles and responsibilities through the planning process, full-disclosure, and support to the Child and Family Team members and is often utilized in cases where the outcome of a sole permanency goal is uncertain.
- Family Service Worker (FSW)/Juvenile Service Worker (JSW)
  - This is a is a DCS term used to identify the position previously known as the DCS case manager or home county case manager. This person is principally responsible for the case and has the primary responsibility of building, preparing, supporting, and maintaining the Child and Family Team as the child/youth and family move to permanence.
- Kin or Relative
  - Someone who is related by blood, marriage, or in some way that allows for a strong bond and for whom the child/youth has had a significant relationship with.
- Permanency Planning
  - Permanency planning is the process that guides the efforts of child welfare agencies to ensure that all children/youth in custody attain a permanent living situation as quickly as possible. By Federal Statute, all state child welfare agencies must identify a permanency goal and develop a plan that specifies what must occur in order to achieve the goal, what services are provided, and the timelines for achieving the goal. Statements of responsibility specifically include both action steps that each party should take and the desired outcome of those action steps.
- Reasonable Efforts
  - The exercise of reasonable care and diligence by the department to provide services related to meeting the needs of the child and the family. T.C.A. 37-1-166(g). The department must make reasonable efforts to prevent removal of the child, and to reunify the family if the child is removed.

Policy Statement:

A Family Permanency Plan (FPP) shall be developed in collaboration with the child/youth and family during a Child and Family Team Meeting (CFTM) for all children/youth in DCS custody adjudicated dependent/neglect or unruly under eighteen (18) years old and all youth under nineteen (19) years old who have been adjudicated delinquent.

Purpose:

To provide instruction and guidelines related to permanency planning to create a sense of urgency to reach permanency for every child/youth in foster care. The Family Permanency Plan should reflect a wholistic approach to address the child/youth and family needs for safety, permanency, and well-being.

Procedures:

A. Development of a Family Permanency Plan

1. The Family Permanency Plan establishes realistic goals, outcomes, and action steps necessary for the family, the child/youth, and/or the Department to achieve permanency.
2. Federal Law, **42 U.S.C.A. § 675 et seq**, requires that each of the following be documented in the Family Permanency Plan:
    a. Efforts made by the Department to prevent removal of the child/youth and placement into custody.
    b. A description of the type of placement, including interstate placements when appropriate, and a plan for assuring that the child/youth receives safe and proper care in the least restrictive, most family like setting appropriate, in close proximity to the parents' home, consistent with the best interest and individual needs of the child/youth.
    c. A discussion of the safety and appropriateness of the placement.
    d. To the extent available and accessible, the most recent health and education records of the child/youth, including the Comprehensive Medical Examination, IEP, and/or psycho-educational when applicable, and the specific steps to be taken to assure health and education progress.
    e. For a youth aged fourteen (14) or above, the Family Permanency Plan must also include a written description of the services that helps the youth prepare for independence.

f. For all children/youth, the Family Permanency Plan must document the steps the Department is taking to achieve permanency for the child/youth.

g. For those families who cannot speak or read English, the Family Permanency Plan is translated into the language the family speaks and reads. The Regional Fiscal Teams can be contacted when translation services are needed.

3. The outcomes and action steps address all of the concerns that brought the child/youth into custody, needs identified by the ongoing assessment process, child/youth and caregiver visitation, and needs related to the well-being of the child/youth, including health and educational stability planning in compliance with the Every Student Succeeds Act outlined in policy ***21.14, Serving the Educational Needs of the Child/Youth***.

B. Permanency Goals to Consider for the Child/Youth

1. DCS establishes a planning process for all children/youth in DCS custody that:

   a) Initially seeks to work intensively with the child/youth's parents and other appropriate family members to allow the child/youth to remain safely at home, if identified;

   b) Works intensively with the child/youth's parents, foster parent(s), other appropriate family members, and contract agency providers in a collaborative process to return the child/youth home quickly under appropriate circumstances consistent with reasonable professional standards; and

   c) If reunification is not appropriate or cannot be accomplished safely, within a reasonable period of time, assures the child/youth an appropriate alternative, permanent placement as quickly as possible.

C. Reasonable Efforts

1. State and federal laws require DCS to continue to make reasonable efforts to work with the parents until a termination of parental rights is granted by the court.

2. Reasonable efforts are not required when a court of competent jurisdiction has found that certain defined felonies have been committed by the parent(s) against the child/youth or another child/youth of the parents as described in **Tenn. Code Ann. § 37-1-166(g)(4)**.

3. Reasonable efforts do not have to be made if the parent has subjected the child/youth, who is the subject of the petition, or any sibling, half-sibling, or other child/youth residing in the home, to aggravated circumstances as defined in **Tenn. Code Ann. § 36-1-102 (9)** and the court agrees.

4. If the court determines that reasonable efforts are not required, there is a Permanency Hearing within thirty (30) days of the court's decision. If the Permanency Hearing triggers the filing of a Termination of Parental Rights (TPR) petition, DCS files the TPR petition immediately.

D. Participation

1. The Family Permanency Plan CFTM includes the family and their support systems, foster parents, agency partners, all parties' attorneys, the child/youth's GAL, and DCS staff (including DCS specialty staff and YDC Staff/Treatment Team Members). Attendance requirements vary and are outlined in the ***Child and Family Team Meeting Guide.***

DI. Scheduling and Time Frames

1. All Family Permanency Plans are developed within 30 (thirty) days from the date of custody in collaboration with the child/youth and family in the context of the CFTM. The Family Service Worker (FSW)/ Juvenile Service Worker (JSW) is responsible for initiating and updating Family Permanency Plans.
2. The Family Permanency Plan is reviewed in the context of a CFTM at least every three (3) months. These meetings must be separate and distinct from any court hearings, Foster Care Review Board meetings, or other judicial or administrative reviews of the Family Permanency Plan.

DII. Family Permanency Plan Ratification Hearing & Annual Hearings

1. The Juvenile Court of Venue reviews and ratifies all Family Permanency Plans.

    a) The initial permanency hearing will be presented to and ratified by the court within 60 (sixty) days from the date of custody.

    b) Annual permanency reviews occur annually, as ordered by the court, and as needed.

Note: For further information and tasks, review the ***Protocol for Permanency Planning for Children/Youth in the Department of Children's Services Custody*****.**

Forms:

CS-0746, Meeting Notification

CS-0745, Criteria and Procedures For Termination Of Parental Rights

CS-0747, Child and Family Team Meeting Summary

CS-0158, Notification of Equal Access to Programs and Services and Grievance Procedures

CS-0800, Notice of Action

TennCare Medical Appeal Form

CS-0430, Progress Report on Child in State Custody

Collateral Documents:

7.2, Acceptable Use, Network Access Rights and Obligations

14.30, Relative Caregiver Program

15.15, Subsidized Permanent Guardianship

Protocol for Subsidized Permanent Guardianship Case Planning

Work Aid-Subsidized Permanent Guardianship

16.12, Severe Abuse Review

16.32, Foster Care Review and Progress Reports

16.51, Independent Living and Transition Planning

16.52, Extension or Re-Establishment of Foster Care for Young Adults

16.59, Disclosure of Legal Options and Available Services For Relative Caregivers

ICPC Practice and Procedure Guide

Identifying and Accessing Independent Living Services Guide

Independent Living and Transition Planning Guide

NOA-GRIER FAQ

Protocol for Planned Permanent Living Arrangement

Visitation Guide

Visitation Plan Work Aid

21.14, Serving the Educational Needs of the Child/Youth

31.1, Family Permanency Plans

31.9, Conducting Diligent Searches

31.14, Case Documentation Requirements

Child and Family Team Meeting Guide

Family Permanency Plan Development Guide

Stages of the Child and Family Team Meeting

Protocol for Permanency Planning for Children/Youth in the Department of Children's Services Custody