

16.60, Foster Child/Youth Bill of Rights	
Application: All Department of Children's Services Employees and Contract Agency Staff	
Authority: TCA Title, 37, Chapter 2, Part 4	Standards: COA: CR 1.01; 1.02; 1.03; 1.04; 1.05; 1.06; and ASE 3.02
Original Effective Date: 6/30/2025 Current Effective Date: 7/10/2025	Supersedes: None Last Review Date: 6/30/2025
Glossary: ♦ None	

Policy Statement:

All children/youth in the custody of the Department of Children's Services (DCS) will be informed of their basic rights and provided the tools with which to report any violations of these rights, as per Tennessee Code Annotated Title, 37, Chapter 2, Part 4.

Purpose:

To ensure children/youth in DCS custody are provided information regarding their basic rights and are aware of the necessary procedure to report violations of rights.

Procedures:

A. Foster Child Bill of Rights

1. All children/youth in DCS custody will be afforded the following basic rights and services while in DCS care:
 - a) Free public education that is age appropriate and tailored to fit the child's/youth's individual needs.
 - ♦ See DCS policy [21.21, Free Appropriate Public Education \(FAPE\)](#) for more information regarding children/youth with special education needs.
 - b) Appropriate care and treatment in the least restrictive setting possible.

- c) Routine and follow-up medical, dental, vision, and mental health care and treatment from a qualified professional, as well as information regarding any diagnosis and treatment options (as developmentally appropriate for the child/youth).
 - ◆ For more information, see DCS policies [20.7, Health Services for Children/Youth in DCS Custody](#) and [20.12, Dental Services for Children/Youth in DCS Custody](#).
- d) A safe, healthy living environment free from abuse, neglect, and/or pest infestation.
- e) To be free from punishment that involves placing restrictions on or supervision of contact with legal representatives, including any appointed Guardian ad Litem (GAL), Attorney ad Litem, or appointed counsel, with whom the foster child/youth has a right to discuss confidential information.
- f) To report any violation of personal rights specified in this policy without fear of punishment, interference, coercion, or retaliation.
 - ◆ To report a suspected violation, contact the DCS Customer Relations Unit at 800-861-1935 or DCS.Custsrv@tn.gov.

B. DCS Responsibilities

1. Develop and maintain materials to express the rights specified in this policy and any other rights DCS finds appropriate to children/youth in foster care.
 - a) These materials must be age-appropriate and must clearly articulate the foster child's/youth's rights.
2. These materials are to be developed in coordination with DCS stakeholders and must include foster care alumni from each grand division of the state of Tennessee.
3. The Department must review and, if necessary, revise the materials at least every five (5) years.
4. All DCS employees will be trained regarding this policy.

- a) All current DCS employees, employed with the Department before July 1, 2025, will be trained regarding this policy by February 1, 2026.
 - b) All new DCS staff beginning, employment after July 1, 2025, will receive training on this policy within 30 days from the date of hire.
5. The Department must provide information regarding the Foster Child/Youth Bill of Rights, including an explanation of the rights and how to report violations of these rights, to children/youth within 30 (thirty) days of entering DCS custody. The information must subsequently be provided annually to children/youth during regular permanency hearings, as per [Tenn. Code Ann. § 37-2-409](#).

Forms:

[CS-4291, Foster Child Bill of Rights Acknowledgment](#)

Collateral Documents:

[Protocol for Foster Child/Youth Bill of Rights](#)