



**State of Tennessee**  
**Department of Children's Services**

**Administrative Policies and Procedures: 16.31**

<b>Subject:</b>	<b>Permanency Planning for Children/Youth in the Department of Children's Services Custody</b>
<b>Authority:</b>	TCA 37-2-403 and 404; 37-2-408 and 409; 37-5-105 and 106; TCA Section 4-17-02 Amendment; 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)
<b>Standards:</b>	DCS 5-201, 5-202, 5-203, 5-204, 5-401, 5-402, 5-500, 6-507 A
<b>Application:</b>	To all Family Service Workers, Provider Agency Staff, and Supervisory Staff

**Policy Statement:**

Permanency planning is the process that guides the efforts of child welfare agencies to ensure that all children 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 will be provided, and the timelines for achieving the goal. Through regular reviews, this process continues throughout the course of the child's custodial experience and is used by the courts, Department and significant others to measure progress toward securing a safe, stable and permanent home for the child. A written permanency plan must be developed in collaboration with the child and family during a Child and Family Team Meeting (CFTM) for all children/youth adjudicated dependent/neglect or unruly under 18 years old and for all children/youth under 19 who have been adjudicated delinquent that are in the custody of DCS. Staff from DCS will partner with families, their support systems, and private provider staff to ensure that best practice, timelines, and professional standards are met to the maximum extent possible.

**Purpose:**

Children whose lives are disrupted by removal from their families are at increased risk for trauma, developmental delay and other problems. The longer a child is separated from family and remains in a temporary placement, the greater these risks become. Permanency planning requires service providers to consider the negative impact of placement and separation on children and to work diligently to find permanent, safe homes for children in care, in a timely manner. All service providers must recognize that time is of the essence for children, and must maintain a sense of urgency to achieve a permanent living situation for every child as soon as possible.

**Procedures:**

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| <b>A. Scheduling and Timeframes</b> | 1. The Permanency Plan must be developed in the context of the <b>Initial Permanency Planning Child and Family Team Meeting (CFTM)</b> , in which |
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	<p>DCS staff collaborate with the family and other members of the team on the development of a plan that will address the problems that necessitated the child's entry into foster care. This plan will specify the changes required to return the child home safely; identify the services that need to be provided to the parents and the child to ensure a successful reunification; and, determine the appropriateness of the child's placement.</p> <ol style="list-style-type: none"><li>2. The Initial Permanency Planning CFTM shall be held within thirty (30) calendar days of a child/youth's placement in custody. Letters and telephone participation should be encouraged for those parties not able to physically attend.</li><li>3. The Permanency Plan must be completed and submitted to the regional legal counsel no later than thirty (30) calendar days of a child/youth entering state custody. Maximum effort must be made to include all mandatory participants; however, a lack of response or participation shall not prohibit the development of the Permanency Plan. In the event that the parents cannot be located or refuse to meet with the worker, the DCS Family Service Worker (FSW) shall document all efforts made to locate the parents and to ensure that the meeting takes place. If a previously absent parent is located, reasonable efforts and engagement of that parent shall occur and shall be evidenced on the permanency plan.</li><li>4. Parents who are incarcerated must also be engaged and have the opportunity to participate in the development of the Permanency Plan unless the court has determined that reasonable efforts are not required. The Family Service Worker must consult with the regional legal counsel prior to the development of the Initial Permanency Plan to determine if it is appropriate to pursue this option.</li><li>5. Whenever the Permanency Plan goal needs to be revised, a Permanency Plan Revision CFTM should be convened to begin planning for the child's safe return home if progress is being made and the goal is to return the child home. If little or no progress is being made toward returning the child(ren) to the parent and a goal change is being considered, the team shall discuss the reasons for the proposed goal change and consider alternative options for permanency, such as guardianship, adoption, or the addition of a concurrent goal.</li><li>6. Every effort shall be made to schedule the CFTM by talking with all parties and agreeing on a time for the meeting as quickly as possible. Staff must be available to participate in CFTM's at times that accommodate the birth family and resource families, even if this falls outside of the traditional workday hours. Whenever possible, staff should schedule the Initial Permanency Plan CFTM at the conclusion of the Initial CFTM.</li><li>7. For Initial Permanency Planning CFTM's, if not scheduled in advance by agreement, the FSW will give adequate notice to all child and family team members, preferably at least seven (7) calendar days in advance of the CFTM if the scheduling is done by telephone or in person, and ten (10)</li></ol>
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	<p>calendar days in advance if notice is by mail. The Family Service Worker (FSW) should document all contacts for scheduling the child and family team meeting in TN-Kids case recordings.</p> <p>8. An individualized permanency plan must be submitted by the Department and approved by the court within sixty (60) calendar days of the date that a child first enters state custody.</p>
<p><b>B. Development of a Permanency Plan</b></p>	<ol style="list-style-type: none"> <li>1. DCS staff must engage families in an ongoing assessment of how their strengths and needs will impact the safety, permanency and well-being of the child(ren) involved. The information gathered from this ongoing assessment process shall guide the participants in the Initial Permanency Planning CFTM in determining an appropriate plan of intervention with the child/youth and his/her family.</li> <li>2. The Permanency Plan shall establish realistic goals for the family (including those parents that are absent or yet to be located), the child/youth, and/or the department necessary to achieve permanency in a timely manner. It shall be built upon the child and family's strengths, address the child and family's needs, and designate timeframes for the completion of actions that will help the child and family to achieve permanency and stability as soon as possible. It will specify what must be completed by the parents, child/youth and the Department to facilitate the timely achievement of the child's permanency goal. Permanency planning decisions must consider/address interstate or inter-jurisdictional placements as part of the planning, as appropriate.</li> <li>3. Designated timeframes for the completion of actions must consider the negative impact of separation and loss upon children and reflect the importance of achieving permanence as soon as possible. In most cases, plans with a six month achievement date are preferred to ensure that permanency is achieved within the required time lines.</li> <li>4. Time periods for achieving permanency goals shall be specific to the unique circumstances of the child and family and not dictated by the scheduling of administrative or periodic reviews or meetings.</li> <li>5. The Permanency Plan should be developed with participants in the context of the Initial Permanency Planning CFTM. It is expected that the FSW will discuss permanency planning with the family prior to the CFTM, providing an orientation to permanency planning and beginning some discussion of the goal. The FSW should come to the Initial Permanency Planning CFTM with much of Sections 1, 2, 3, 4, 6, 7, 9 and 10 completed on the Permanency Plan. Information that is entered on the Permanency Plan prior to the Initial Permanency Plan CFTM will be gathered from the Initial CFTM, Non-Custodial Permanency Plan, Family Functional Assessment, CANS, FAST, YLS, medical and mental health records, school records and interviews with team members. Preparing these sections in advance will allow the participants to spend the meeting time to further explore the strengths and needs of the family, agree upon the goal(s), develop the desired outcomes, and identify the action steps to be taken. This should make the meeting more</li> </ol>

	<p>efficient and enable participants to focus on an inclusive, collaborative planning process. See <u>"Instructions for the Custodial Permanency Plan."</u></p> <p>6. The Permanency Plan may be a handwritten draft, but is considered complete at the conclusion of the CFTM. Significant changes or alterations to the goals or tasks on the plan can only be made by convening another CFTM or by court order at the Permanency Plan ratification hearing. Minor changes that do not affect the content of the document, such as grammatical or spelling errors, may be made following the meeting.</p> <p>7. Detailed information regarding plans for parent/child visitation and a schedule of visits should have been developed during the Initial CFTM and recorded on form <b>CS-0747, Child and Family Team Meeting Summary</b>. In addition, details regarding visitation should be placed in TNKids case recordings.</p> <p>8. The Interdependent Living Plan is a section of the Permanency Plan which is completed for all youth in state custody aged fourteen and older. It is the responsibility of the FSW to develop the Interdependent Living plan along with the Permanency Plan and maintain the same review and update schedule. (<u>See 16.51 Interdependent Living Plan.</u>) To finish the Interdependent Living section, the ACLSA must be completed prior to the Permanency Planning CFTM (See <a href="#">Attachment 1 Ansell Casey Life Skills Assessment /Protocol.</a>). The assessment results will be used along with the team members' input to develop outcomes and action steps.</p> <p>9. Parents shall have the opportunity to sign a completed, handwritten or typewritten permanency plan at the conclusion of the Initial Permanency Planning CFTM. If a completed typewritten permanency plan was not available for the biological parents to sign by the conclusion of the Initial Permanency Planning CFTM, one shall be presented to the parents for discussion and signature. A permanency plan must be submitted by the department and approved by the court within 60 calendar days of the date a child first enters custody (see Section A-7 of this policy). The FSW will review form <b>CS-0745, Criteria and Procedures for Termination of Parental Rights</b>, with every parent and provide them with a copy.</p> <p>10. In the event parents have signed a handwritten copy at the conclusion of the CFTM and it is later typed, case managers must bring both the handwritten copy and the typed copy to the court hearing, where the family can review it along with the attorneys to approve the language in the typed plan and sign it, if agreed upon.</p>
<p><b>C. Participation</b></p>	<p>1. Participants involved in the Initial Permanency Planning CFTM are the same as those who should be involved in all CFTM's – the family, their support systems, community partners, and DCS staff (including DCS specialty staff and YDC Staff/Treatment Team Members). The greater the participation of the child and family team, the more likely that individualized service plans will be developed. At a minimum this CFTM should include the parents, DCS Team Leader, and DCS Family Service Worker. The following persons shall be Child and Family Team members as appropriate: contract agency worker;</p>

	<p>guardian ad litem (GAL); court appointed special advocate (CASA); resource parents; and the child's parents or other relatives or trusted family friends, as identified by the family. Inclusion and notification must be made in accordance with <a href="#">DCS Policy 31.7, Building, Preparing, and Maintaining Child and Family Teams</a>.</p> <ol style="list-style-type: none"><li>2. Children and youth who are at least 6 years of age and older should be involved in the planning process to the extent that they are capable of participating. All children 12 and over should be prepared and included in the Permanency Planning CFTM. Younger children may also be able to participate in the meeting, according to their maturity level and ability to understand. Arrangements should be made to escort younger children out of the meeting and provide supervision when the discussion of sensitive or difficult topics must take place. Usually it's best to include the child in the beginning of the meeting to get his/her understanding of the situation, explore the child's needs and adjustment to placement, etc., and then excuse the child for discussions regarding the treatment needs of parents. Exceptions to this policy must be clearly documented in the case record, with an explanation for why the child's participation would be contrary to his/her best interests.</li><li>3. The DCS supervisor assigned to the case shall participate in the Initial Child and Family Team Meeting, the Initial Permanency Planning Child and Family Team Meeting, the Discharge Child and Family Team Meeting, and any CFTM if the FSW has less than one year of experience. For all other Child and Family Team Meetings, the supervisor shall make a decision about his or her participation based on the complexity of the case, the availability of other supports such as a <b>trained, full time or back-up facilitator</b>, and the experience of the FSW. In the event that the assigned DCS Supervisor is unavailable, another Supervisor or FSW III can attend the meeting in his/her place. Please refer to the (CFTM) <a href="#">Child and Family Team Meeting Protocol</a> for the expectations of Supervisory participation in CFTMs.</li><li>4. Particular attention shall be paid to the wants and desires of adolescents when identifying Permanency Plan tasks and goals. While the Department is ultimately responsible for the decisions made in the CFTM, actively involving youth in decision-making is crucial to achieving positive outcomes. The FSW must carefully explain all of the permanency options to adolescents and help them to understand how important achieving permanency is for them. Youth should be encouraged to bring someone with them to the Permanency Planning CFTM, if that would help them feel more comfortable participating. If an adolescent does not attend the CFTM, or it is determined that it is not in his or her best interest to attend, the reasons should be clearly documented in TN-Kids Case Recordings.</li><li>5. If an identified child or family member does not attend a CFTM, the FSW must document the stated reasons for non-participation and the efforts made to accommodate them in TN Kids Case recording. The Department shall conduct diligent searches (<a href="#">DCS Policy 16.48, Conducting Diligent Searches</a>) as soon as DCS becomes involved with the family, but no later than 30 days</li></ol>
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	<p>after the child enters DCS custody and every three months thereafter. If there are any unidentified parents, or the Department does not know their whereabouts, diligent searches must be conducted throughout the life of the case. Efforts to locate parents must be clearly documented in the case record.</p> <p>6. The incarceration of a parent will not be a barrier to their participation in the CFTM and permanency planning process. By law, DCS must create opportunities for all parents to participate in the plan and to meet their parental responsibilities. This may be accomplished by having meetings where they are located, or by arranging for them to participate by telephone.</p>
<p><b>D. Permanency Goals to consider for the Child/Youth</b></p>	<p>DCS shall establish a planning process for all children in DCS custody that;</p> <ul style="list-style-type: none"> <li>◆ initially will seek to work intensively with the child's parents and other appropriate family members to allow the child to remain safely at home, if appropriate;</li> <li>◆ in those instances in which removal from the home is necessary, will work intensively with the child's parents and other appropriate family members in a collaborative process to return the child home quickly under appropriate circumstances consistent with reasonable professional standards;</li> </ul> <p style="text-align: center;">and:</p> <ul style="list-style-type: none"> <li>◆ if return home is not appropriate or cannot be accomplished safely within a reasonable period of time, will assure the child an alternative, appropriate permanent placement as quickly as possible.</li> </ul> <p>1. <b>Return to Parent</b> is the preferred goal, if the conditions that led to the child's removal can be remedied and it is safe for the child/youth to return to the home. The goal of return to parent is to be utilized when the parent(s) is/are working to resolve the issue(s) that led to the removal of the child/youth. AFSA requires supervisory approval to continue a goal of return to parent beyond certain timelines:</p> <ul style="list-style-type: none"> <li>a) For any child who has a permanency goal of return to parent for more than 12 months, the FSW, with written approval from the Team Leader, shall include in the record written explanation justifying the continuation of the goal, and identifying the additional services necessary or circumstances which must occur in order to achieve the goal. This justification should be presented to the court at the Permanency Hearing.</li> <li>b) No child shall have a permanency goal of return to parent for more than 15 months unless there are compelling circumstances and reason to believe that the child can be returned to the parent(s) within a specified and reasonable time period. These must be documented in the record</li> </ul>

	<p>and approved by the FSW's Team Leader within the record. These should also be presented to the court at the Permanency Hearing. AFSA does permit an exception to this when the child is placed with relatives and in a stable situation.</p> <p>2. <b>Exit Custody to Live with Relative</b> is to be utilized when the child/youth is unable to return to the parent(s) and they will achieve permanency through a legal relationship with a relative or other person with a significant relationship with the child. Relatives should be fully informed of all of the permanency options for children in their care as described in <a href="#">DCS Policy 16.59, Disclosure of Legal Options and Available Services for Relative Caregivers</a>. Department staff should be prepared to support the permanency option preferred by the relative caregiver. Legal custody is transferred from the department to the relative/caretaker. This is when an adult (relative or non-relative), who has a significant relationship with a child, is willing to petition for custody of that child. An order from a juvenile court judge is needed to obtain legal custody. The parent's rights are not terminated and the court order generally outlines explicit guidelines for parental visitation. The order may also include a requirement for the parents to pay child support. Parents do have the opportunity to regain custody at a later date, if they can demonstrate to the court that they have reasonably remedied the conditions that led to the child's placement.</p> <p>3. <b>Adoption</b> is to be utilized when a child/youth is unable to return to the parent(s) and permanency through the creation of a new legal parental relationship is in the child/youth's best interest. This option is appropriate when there are no willing and appropriate relatives for the child to exit custody to or adoption is the permanency option preferred by the relative caregiver. In no way does the termination or voluntary surrender of parental rights preclude the possibility of relative adoption.</p> <p>a) When considering the goal of adoption, the child and family team should consider the child/youth's best interests as well as his/her views regarding adoption. The FSW shall also consult with the DCS attorney to ensure legal grounds exist to terminate parental rights and/or to properly attain the voluntary surrender of parental rights. Even if there are sufficient grounds to terminate, state and federal law requires that we continue to make reasonable efforts to work with the parents until the termination trial.</p> <p>b) Upon identifying a sole permanency goal of adoption, efforts must begin to free the child/youth for adoptive placement and to recruit and locate an appropriate adoptive family. This must occur without delay, even if the goal is changed to adoption prior to the filing of the petition to terminate parental rights.</p> <p>c) Refer to <a href="#">DCS Policy 15.11, Adoption Assistance</a> for the criteria and eligibility for a child to receive adoption assistance.</p> <p>4. <b>Permanent Guardianship</b> Permanent Guardianship is a goal to be utilized only after the goals of Return to Parent or Adoption have been ruled out. For</p>
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families and caretakers who are unwilling or unprepared to adopt a child they are caring for, permanent guardianship may be the best option. Some relatives are uncomfortable having the parental rights of a family member terminated. This option also allows for an ongoing relationship between the child and biological family. Once a child has lived with a willing and able adult (relative or non-relative) for at least six months and the family is willing to assume guardianship for that child, an order from a juvenile court judge is needed to obtain permanent guardianship. The biological parents' rights are not terminated, but they are limited. A permanent guardian has the same rights as a parent. The court will establish the plans for parent/child visitation as part of the Guardianship order. The order may also include a requirement for the parents to pay child support. It is possible for parents to petition the court to regain custody, however the standard for regaining custody is more stringent – they must convince the court not only that they have remedied the conditions that led to the placement of the child, but that returning the child to them would be in the child's best interest. Permanent guardianship can last until the child is an adult. Some permanent guardians may qualify for a subsidy to assist with expenses. Refer to [DCS Policy 16.39, Subsidized Permanent Guardianship](#) for the conditions and criteria for eligibility.

5. **Planned Permanent Living Arrangement (PPLA)** is only appropriate in very rare circumstances, as this goal generally does not support the child/youth's need for permanency. Staff shall not take a Permanency Plan with a sole or concurrent goal of PPLA (nor a recommendation to change to such a goal) to the Foster Care Review Board or to Court until the Commissioner or his/her designee has approved it. A request can be made by completing the ***Request for Permanency Goal of Planned Permanent Living Arrangement (CS-0681)*** and following the procedures attached to the form ([Planned Permanent Living Arrangement Protocol](#)). The request for consideration of a sole or concurrent goal of PPLA shall be submitted to the Commissioner through the Executive Director for the Office of Child Permanency or his/her designee.

a) DCS may assign a permanency goal of Planned Permanent Living Arrangement to a child:

- ◆ for whom an appropriate relative or resource parent has been identified.
- ◆ the caregiver is willing to assume long-term responsibility for the child but has legitimate reasons for not adopting, assuming guardianship or taking legal custody of the child  
  
and...
- ◆ it is in the child's best interests to remain with that caretaker rather than to be considered for adoption by another person.

b) With the exception of children placed in approved relative resource homes, no child shall be assigned a permanency goal of Planned Permanent Living Arrangement unless:

	<ul style="list-style-type: none"> <li>◆ the child is at least 16 years old</li> <li>◆ DCS has made every reasonable effort, documented in the case record, to return the child home, to place the child with appropriate family members or to place the child for adoption or guardianship and...</li> <li>◆ the person to whom DCS proposes to assign permanent care giving status has demonstrated a commitment to assuming long-term responsibility for the child.</li> </ul> <p>c) Before the request is submitted for approval, the Child and Family Team must meet and make a recommendation for the goal of PPLA. In addition, the Child and Family Team must review the appropriateness of PPLA no less often than every six months.</p> <p>d) After a year with a goal of PPLA, another request for approval is required in order to continue the goal. It is critically important that department staff continues to work with children/youth that have an approved goal of PPLA. The Permanency Plan must reflect ongoing efforts to develop more supportive adult relationships the child/youth can rely upon beyond the age of 18. Plans should include action steps designed to help the child/youth develop additional meaningful relationships and family-like connections with other adults. Strategies should include efforts to involve the child/youth in extra-curricular activities through which such relationships can naturally evolve. There should also be efforts to help that youth reconnect with significant adults from his or her past who may become valuable resources for the future. Failure to document such efforts may result in denial of the request to continue the goal.</p> <p>e) In the event the placement disrupts, the goal of PPLA is no longer valid, as it is associated with a specific caregiver who has made a long-term commitment to the child. Another request is required once an alternative caregiver has been identified and agreed to provide care and support to the child, at least to the age of 18 and preferably, throughout adulthood. Please refer to <a href="#">Planned Permanent Living Arrangement Protocol</a> for a fuller description of the process.</p>
<p><b>E. Concurrent Planning</b></p>	<p><b>Concurrent Planning</b> is the identification and <u>active</u> pursuit of more than one permanency goal. Much like in our own families, some of our best planning is achieved when several options are considered. Concurrent planning can help to expedite the achievement of permanency for the child/youth. Family Service Workers must fully disclose all concurrent planning information with parents, resource parents, and other Child and Family Team members regarding timeframes, expectations, services, and court actions. The Family Service Worker must include identification of appropriate in-state and out-of-state placement options as part of the concurrent planning process. This option may be optimal when:</p> <p>a) There is not a clear, singular goal that would reflect best practice standard</p>

	<p>of having children/youth move to appropriate permanency in the most timely fashion;</p> <ul style="list-style-type: none"> <li>b) A child has had a previous commitment in state custody;</li> <li>c) There is a judicial determination that reasonable efforts are not required; or,</li> <li>d) A youth is in full guardianship, seventeen (17) years old or older, and has no identified adoptive family. This option is intended to assure that the youth has family connections and support as he or she enters adulthood.</li> </ul>
<p><b>F. Reasonable Efforts not Required</b></p>	<ol style="list-style-type: none"> <li>1. DCS legal will be immediately consulted if the FSW believes that reasonable efforts to reunite a child with a parent(s) or former legal guardian may not be required. The consultation with DCS legal is critical before deciding that reasonable efforts are not required. If the department desires not to make reasonable efforts, then a motion must be filed with the juvenile court and an order obtained that reasonable efforts are not required. If court determines that reasonable efforts are not required, there must be a permanency hearing within thirty (30) days of the court's decision. If the permanency hearing triggers the filing of a petition to terminate, DCS must file the petition immediately.</li> <li>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. <i>TCA 37-1-166 (g) (4)</i> lists those felonies: <ul style="list-style-type: none"> <li>a) murder of any sibling or half-sibling or other children/youth in the home;</li> <li>b) committed voluntary manslaughter of any sibling or half-sibling/s of the child or any other child residing in the home;</li> <li>c) aided or abetted, attempted, conspired, or solicited to commit such a murder such as voluntary manslaughter of the child or any siblings or half-sibling of the child or any other child residing in the home;</li> <li>d) felony assault that resulted in serious bodily injury to the child/youth, siblings, half siblings or other child/youth in the home.</li> </ul> </li> <li>3. Reasonable efforts to reunify are also not required if the parental rights of the parent to a sibling or half-sibling have been involuntarily terminated.</li> <li>4. 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 defined in <i>TCA 36-1-102 (9)</i> and the court agrees---abandonment, abandonment of an infant, aggravated assault, aggravated kidnapping, especially aggravated kidnapping, aggravated child/youth abuse and neglect, aggravated sexual exploitation of a minor, especially aggravated sexual exploitation of a minor, aggravated rape,</li> </ol>

	<p>rape, rape of a child/youth, incest or severe child abuse.</p> <p>5. If there has been abandonment or severe child abuse or any of the above felonies committed, DCS must carefully consider if there are compelling reasons to make reasonable efforts to reunite this child/youth with the offender.</p> <p>6. Other circumstances may exist when it is reasonable to make no effort to reunify the child/youth and parent. DCS legal should be consulted in connection with this determination, i.e., refer to grounds for termination as set out in <i>TCA § 36-1-113</i>, though cessation of reasonable efforts to reunify does not necessarily have to occur because adoption is a goal or even a sole goal. Either way, termination protocol must begin immediately.</p> <p>7. In addition to the above statutory exceptions to reasonable efforts, there are some cases where, after an assessment of the facts and the family situation, DCS may take the position that returning the child to the parent will never be appropriate. For instance, in a severe child abuse case, an assessment of the injuries, circumstances and family constellation may result in the determination that the only viable permanency goal is adoption. It may be reasonable to make no effort to reunify the child/youth and family. After DCS has made that decision and established the goal of adoption, the Court must determine (within thirty (30) days of the decision) that the Department's assessment and decision are accurate and that the actions were appropriate.</p> <p>8. If the Court agrees with the decision, then the Court would find that the Department's efforts up to that point were sufficient (not that reasonable efforts were not required in the past). If this were the finding, DCS would then proceed with termination of parental rights.</p>
<p><b>G. Permanency Plan Ratification</b></p>	<p>1. The Juvenile Court of Venue shall review and approve all Permanency Plans unless the youth is placed in a YDC. Plans developed for children placed at YDCs do not require court approval unless directed by the court. When a youth steps down to a placement from a YDC setting, Permanency Plan ratification and court review must begin.</p> <p>2. If the parents, child, or any team member disagree with the plan, they shall have the right to present their concerns about the plan to the Court.</p> <p>3. Notification of the review must be sent to all members of the Child and Family Team, as well as a copy placed within the child's record.</p>
<p><b>H. Role of the DCS attorney in permanency planning</b></p>	<p>1. DCS attorneys will be notified and may be invited to participate in permanency planning CFTM's. In cases where the DCS attorney does not participate, legal consultation should be sought by the FSW prior to the CFTM.</p> <p>2. A DCS attorney shall review all Permanency Plans prior to submission to the court, to ensure that child/youth and family issues, services, and placement issues necessary to establish reasonable efforts findings at the initial and</p>

	<p>later court hearings are addressed.</p> <ol style="list-style-type: none"><li>3. If the content is found to be insufficient or the goal inconsistent with early permanency, the attorney shall consult with the FSW and the team leader. Any significant changes to the permanency plan should be made by reconvening the Child and Family Team or shall be made during the permanency plan hearing at Court.</li><li>4. The FSW is responsible for providing a copy of the Permanency Plan to the DCS attorney with either: a) referral/request for a motion to set a hearing; or, b) with the date and place of an already-set hearing.</li></ol>
<p><b>I. Permanency Plan Reviews and Revisions</b></p>	<ol style="list-style-type: none"><li>1. The child's Permanency Plan shall be reviewed in the context of a CFTM's at least every three 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 child's Permanency Plan. However, if the Child and Family Team are meeting for another purpose, the progress on the plan can be reviewed at that time. It is not necessary to convene another meeting solely for the purpose of reviewing the plan. The Permanency Plan should be updated if necessary any time a review indicates that revisions are needed.</li><li>2. Significant revisions of the Permanency Plan are the responsibility of the assigned FSW and should be completed within the context of a CFTM that includes all significant members of the team. This would include such revisions as a change in goal, adding a relevant party such as a parent or resource family, identifying an interjurisdictional placement, or addressing a newly disclosed need on the part of the child/youth or parent/former legal custodian.</li><li>3. Significant plan revisions may be made at any time and shall be made when new issues hindering the accomplishment of the permanency goal(s) are identified, when there is a change in the permanency goal(s), when there must be a change in the time frame/target dates, or when there is a need for changes in services or treatment for the child/youth or family. However, a Court does not have to approve a change or addition in services before such can be supplied to the child or family. A change in the child/youth's placement (or in the needed level of care) may not necessitate a change in the Permanency Plan.</li><li>4. Permanency Plans must be updated before the plan achievement date expires, so in most cases this would be at least every six months. Permanency Plans shall be updated <u>no less</u> often than annually. However, it is preferable to achieve permanency in less time whenever possible. Permanency Plans must be reviewed through the quarterly progress review process, so the opportunity to update and refine activities and outcomes will be revisited on a regular basis (see <a href="#">DCS Policy 16.32, Foster Care Review and Quarterly Progress Reports.</a>)</li><li>5. As with the original plan, the revised plan must be presented to the court of venue in a hearing and approved by the court in accordance with <a href="#">DCS Policy</a></li></ol>

	<p><a href="#">16.33, Permanency Hearings.</a></p> <p>6. A parent or other legal custodian who did not agree with the revised plan shall have the right to present their concerns about the revised plan to the court of venue during the hearing.</p>
<p><b>J. Documentation</b></p>	<ol style="list-style-type: none"> <li>1. All Permanency Plans shall contain specific information about:             <ol style="list-style-type: none"> <li>a. How a child/youth's permanency goal will be achieved,</li> <li>b. What services are necessary to make the accomplishment of the goal likely,</li> <li>c. Who is responsible for the provision of those services,</li> <li>d. When the services will be provided,</li> <li>e. The date by which permanency is likely to be achieved</li> </ol> </li> <li>2. The case record should reflect the team decisions, interactions with children, youth and families (birth, foster, and pre-adoptive), interactions with collateral resources, and the efforts towards achieving any/all permanency goals.</li> <li>3. Efforts being made to achieve the permanency goal(s) should also be clearly documented in the quarterly case reviews.</li> <li>4. Major treatment issues for the child/youth and family (safety issues identified in the child protective services investigation, drug treatment, sexual offense victim or sex offender treatment, special education, domestic violence, etc.) that are identified during the assessment process shall be noted in the Permanency Plan along with activities necessary to address the issues that brought the child/youth into care.</li> <li>5. The Permanency Plan shall have clearly defined outcomes and the specific, time-limited action steps that need to be completed to reach each desired outcome. All services documented in the plan as necessary for the achievement of the permanency goal(s) shall be provided within the time period in which they are needed.</li> <li>6. Specific tasks listed on the Permanency Plan shall include observable, measurable outcomes, as well as the names of the persons responsible for completion of each task. This is to include responsibilities of the family and of the Department and other community resources including cross-jurisdiction resources in provision of services and monitoring progress, as well as the child/youth in regard to his/her needs for safety, permanency and well-being.</li> <li>7. Federal Law requires that each of the following be documented in the Permanency Plan:             <ol style="list-style-type: none"> <li>a. Efforts made by the Department to prevent removal of the child/youth and</li> </ol> </li> </ol>

	<p>placement into custody.</p> <ul style="list-style-type: none"><li>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.</li><li>c. A discussion of the safety and appropriateness of the placement.</li><li>d. To the extent available and accessible, the most recent health and education records of the child/youth, including the EPST&amp;T, IEP and/or psycho-educational when applicable, and the specific steps to be taken to assure health and education progress.</li><li>e. For a child/youth ages 14 or above, the plan must also include a written description of the services that will help the child/youth prepare for independence. These services must be appropriate to the child or youth's age and circumstance.</li><li>f. For all children/youth, the plan must document the steps the Department is taking to achieve permanency for the child/youth. These steps should support the achievement of the permanency goal within reasonable and appropriate time frames.</li></ul> <p>8. The participants in the CFTM shall receive a copy of the Permanency Plan immediately following the CFTM. The FSW will review form <b>CS-0745, Criteria and Procedures for Termination of Parental Rights</b>, with each parent and provide them with a copy. The FSW should be sensitive to whether resource parents want their identifying information shared with everyone in the CFTM and be prepared to delete it, if requested.</p> <p>9. All Permanency Plan information and dates shall be entered into TNKids within 48 hours of the completion of the CFTM where the plan is developed or revised. This time frame is to ensure timely dissemination of the Permanency Plan to TennCare Advocates.</p> <p>10. For those families who cannot speak or read English, the Permanency Plan document and its content will need to be translated into the language the family speaks and reads. The Regional Fiscal Teams can be contacted when translation services are needed.</p>
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<b>Forms:</b>	<a href="#"><u>CS-0746 Meeting Notification</u></a> <a href="#"><u>CS-0745 Criteria &amp; Procedures For Termination Of Parental Rights</u></a> <a href="#"><u>CS- 0681 Request for Goal of Planned Permanent Living Arrangement</u></a> <a href="#"><u>CS-0747 Child and Family Team Meeting Summary</u></a>
<b>Collateral Documents:</b>	Functional Assessment, Copy of Notification <a href="#"><u>Instructions for the Custodial Permanency Plan</u></a> <a href="#"><u>Planned Permanent Living Arrangement Protocol</u></a> <a href="#"><u>Attachment 1 Ansell Casey Life Skills Assessment /Protocol</u></a> <a href="#"><u>Policy 16.51 Interdependent Living Plan</u></a> <a href="#"><u>Policy 31.7, Building, Preparing, and Maintaining Child and Family Teams</u></a> <a href="#"><u>Policy 31.7 Attachment: CFTM Protocol</u></a> <a href="#"><u>Policy 16.48, Conducting Diligent Searches</u></a> <a href="#"><u>Policy 16.59, Disclosure of Legal Options and Available Services for Relative Caregivers</u></a> <a href="#"><u>Policy 15.11, Adoption Assistance</u></a> <a href="#"><u>Policy 16.39, Subsidized Permanent Guardianship</u></a> <a href="#"><u>Policy 16.32, Foster Care Review and Quarterly Progress Reports</u></a> <a href="#"><u>Policy 16.33, Permanency Hearings</u></a>

<b>Glossary:</b>	
<b>Child and Family Team Meeting (CFTM):</b>	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 of the parties involved in a child's case (child, if age-appropriate, birth parents and their support system, resource parents, DCS staff, community partners and other involved parties), respecting the expertise that each party brings to the table. CFTM's should be characterized by respect, honesty, inclusiveness and work towards building consensus in decision-making.
<b>Trained Full-Time or Back-up Facilitator:</b>	DCS Employee whose role at the agency includes the facilitation of Child & Family Team Meetings and the coaching and mentoring of staff in their professional development on CFTM. The facilitator has completed the core curriculum on Child & Family Team Meetings, the advanced curriculum on facilitating Child & Family Team Meetings, passed the skills-based competency exam and met the minimum threshold for competency on their structured observations. Some regions have trained additional staff in advanced facilitation skills as back-up facilitators, who can facilitate CFTM's, as well.
<b>Family Services Worker:</b>	This 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 and family move to permanence.
<b>Concurrent Planning:</b>	A method of case planning in which two permanency plan goals are implemented simultaneously in order to ensure the most expeditious permanence for children. 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.