



Children and Family Services

Grievance Procedures Regarding Placement, Care and Removal of Children

San Bernardino County Children and Family Services (CFS) has made provisions for administrative review of complaints or grievances submitted in writing by caregivers related to the placement, care or removal of children from a resource home.

CFS must provide caregivers with a written notice of intent to remove a child, the **CFS 7 D: Notice to Remove/Grievance Request** no fewer than seven- calendar days prior to the removal. The notice will include the date of intended removal, the reason for removal, and the right to an administrative review prior to removal. If a caregiver chooses to waive the seven-calendar day notice, a **CFS 2 W: Grievance Procedures** must be on file. The **CFS 2 W** must be initialed by the caregiver. If the CFS Director that determines a child is in immediate danger, the child may be removed without prior notice. A written confirmation of reasons for removal will be given to the caregiver within seven days of removal.

Grievance reviews will not be granted for the following issues:

- The child is in immediate danger.
- A signed **CFS 2 W: Grievance Procedure** form waiving the seven-calendar day written notice is on file.
- A court has ordered the child's removal.
- Adverse licensing or approval actions have occurred that prohibit the caregiver from continuing to provide services.
- Removal of a voluntarily placed child is made or requested by the child's parent(s)/guardians.
- The child is removed from an emergency placement.
- Removal of a child for direct placement into an adoptive home.
- Any complaint regarding only the validity of a law or of a statewide regulation.
- Any complaint regarding an issue for which a fair hearing is available pursuant to Welfare and Institutions Code (WIC) Sections 10950 through 10965.

Any request made for a review will be filed in the form of a written statement and signed by the caregiver. The Department will assist in preparation of the complaint, if help is requested or necessary.

The request for a review will set forth the facts which the caregiver believes provides a basis for reversal of the department's action. In cases of removal, the request for a review must be received by CFS Administration no fewer than two calendar days prior to the intended date of removal, except in instances where the child is in imminent danger and has been removed as directed by the CFS Director.

All other complaints must be received by CFS Administration within 10 calendar days after the caregiver becomes aware of the action under complaint. A child will remain in his/her current home with caregiver pending decision of the Grievance Review Agent when the complaint is due to the removal.

Upon receipt of a written request for review, the Program Integrity Division (PID) will arrange a date, time, and place for the review which will be held, for resource home cases, within 10 working days from the date of receipt of the complaint. Notice of the date, time and place for the review will be received by all parties no fewer than five-calendar days prior to the review.

At the review, the caregiver have the right to be represented by an attorney or any other person (a friend, relative or other spokesman) of their choice. If an interpreter is needed, the Department will provide one upon request.

The Grievance Review Agent will be a person or panel designated by the CFS Director to conduct the grievance review and render a recommended decision. All issues will be resolved in the best interest of the child. The agent is not required to be employed by CFS but will be a:

- Person(s) not involved in the action complained of,
- Person(s) not directly in the chain of supervision of any of the persons involved in the action complained of, with the exception of the Director or his/her Deputy Directors, and
- Person(s) knowledgeable in the field of social work practice and capable of objectively reviewing the agency action complained of.

Within five calendar days after the review session has been completed, the review agent will render a written recommended decision and the CFS Director will issue a written decision based only upon the evidence, both written and oral, presented at the grievance review and will contain a summary statement of the facts, the issues involved, findings, and the basis for the decision. A copy will be sent to each party, every representative of each party, and the California Department of Social Services.

- I acknowledge the receipt of the **CFS 2 W**: Grievance Procedures Regarding Placement, Care and Removal of Children.
- I hereby agree to **waive** the seven-calendar day written notice of intent to remove the child listed below.

Caregiver Name: _____
Print

Signature: _____

Date: _____

Caregiver Name: _____
Print

Signature: _____

Date: _____

Childs Name: _____