

In the past 3 months, CYFD has developed comprehensive grievance processes, one for resource families and another for children, youth, and young adults participating in Fostering Connections post-18 services, as well as a procedure to address claims of retaliation

Resource Families (PR 8.26.2.11)

- Bill of Rights sets forth 24 rights including the right to: detailed and timely information about a child in the resource family's care; input concerning plans of service for the child; fair, timely and impartial investigation concerning referrals filed against them and access to fair and impartial appeals process free from retaliation; report misconduct by CYFD employees, service providers or contractors; expect and rely upon fact that CYFD's decisions regarding them and the children placed in their care will be in compliance with state and federal law; and, full and timely financial reimbursement
- Two-tiered grievance process – CYFD Constituent Affairs and then Office of Inspector General if not resolved

Children, Youth and Young Adults

- Grievance filed by or on behalf of a child or youth by, and against, a wide range of individuals who have contact with the child or youth, alleging a violation of the Foster Youth Bill of Rights, and handled by the Office of Children's Rights (OCR)
- Informal resolution process for children and youth to voice their concerns and to create strong communication between themselves, Protective Services Division staff and other supports
- If the Office of Children's Rights determines cannot be decided by informal resolution, the grievance will be handled by 3-person panels
- Panel does not know the identity of the child or youth unless allowed in writing

Retaliation (PR 8.8.2.24)

- Prohibits retaliation by any CYFD employee against anyone who has expressed a concern or made a complaint about harassment, sexual harassment or discrimination
- Complaint to CYFD Office of Constituent Affairs
- If meets criteria for retaliation, complaint sent to CYFD's HR Department for investigation by Employee Relations Bureau.

Denial, Revocation, Suspension, or Non-Renewal of a Foster Care Provider License (NMAC 8.26.24.20 and 8.8.4 NMAC)

- CYFD must provide written notification of reason for revocation, suspension or non-renewal of a foster care license and provide the opportunity to request an appeal before an impartial hearing officer appointed by or approved by the CYFD Secretary
- Admin hearings in accordance with 8.8.4 NMAC
- Hearing officer makes recommended decision to CYFD Secretary, who makes a final decision either agreeing or disagreeing with the hearing officers recommended decision
- Final decisions by the Secretary may be appealed to the appropriate district court pursuant to Rules 1-074 or 1-075