FOSTER CARE AND ADOPTION DISCIPLINE ACKNOWLEDGEMENT

CHILD PROTECTIVE SERVICES (CPS) –PLACEMENT, ICPC, AND FAD

Purpose: This form guides caregivers in methods used for discipline of children in foster care or adoptive placement prior to consummation.

Instructions: All foster parents, pre-consummated adoptive parents, potential foster/adoptive parents, other adults living in the home, and intermittent alternate care (IAC) providers must agree to the DFPS discipline policies and procedures. This form must be signed during the screening process, every 24 months, and at any time another adult caregiver begins living in the home.

Directions: Complete this form and give it to your FAD worker once completed. FAD keeps this form secure in the family's case record.

INTRODUCTION

DFPS requires the agency's foster caregivers and pre-consummated adoptive parents to treat children in DFPS conservatorship with respect and dignity. The primary purpose of discipline must be to encourage, model, and help children to practice appropriate behaviors, not to punish the child. Discipline must suit the particular needs and circumstances of each child, and take into account the child's:

- age;
- developmental level;
- specific misbehavior,
- previous reaction to discipline; and
- trauma history, including any history of physical, sexual or emotional abuse, neglect, drug and alcohol exposure, prenatal trauma, early hospitalization or other traumatic events in the child's history.

No child in DFPS managing conservatorship may be deprived of basic necessities or subjected to cruel, harsh, unusual, or unnecessary punishment.

GENERAL REQUIREMENTS FOR DISCIPLINE

Discipline must be constructive and educational in nature. Correction must be fair, reasonable, consistent, and related to the specific misbehavior. Foster and pre-consummated adoptive parents must communicate to the child, in a manner that the child understands:

- what the child has done wrong;
- why the discipline must occur;
- the full extent of the discipline (how long the discipline is in effect and what has to occur to end the discipline period); and
- what is considered to be appropriate behavior (this should be done in the form of discussion with the child and helping the child to practice the appropriate behavior).

Discipline should be individualized and related to the child's specific misbehavior, age, developmental level, previous experiences, reactions to previous discipline, and any other relevant factors. Foster and pre-consummated adoptive parents are encouraged to use discipline techniques that promote connection for the child within the family.

The foster and pre-consummated adoptive parents and CPS staff will develop appropriate discipline methods for each child placed in the foster/adoptive home.

ALLOWABLE FORMS OF DISCIPLINE

Discipline must suit the child's age, circumstances, and developmental needs. Methods of discipline may include:

- establishing routines;
- setting reasonable limits;
- modeling appropriate behavior;
- offering two acceptable choices;
- offering compromises;
- offering a "redo";
- scripting;
- repeating the behavior correctly with the adult;
- giving the child time to settle down in a way that feels safe to him or her;
- speaking slowly to the child;
- giving time for the child to process the request or instruction (count to five slowly in your head);
- repeating instructions;
- taking "time-out*" or a "time-in";
- enforcing or permitting logical or natural consequences;
- catching the behavior while it is still minor;
- using a low, slow, moderated voice;
- praise and recognition of desirable behaviors; and
- reinforcing desired behavior.

*Time-out separates the child from the family, discourages connection, and may be correlated with dissociative tendencies in traumatized children. They should be used very sparingly, if ever. When used, time-outs must have reasonable time periods and be supervised by an adult. Reasonable time-out periods consist of one minute for every year of the child's age.

Additional strategies for managing the child's behavior, if needed, should be listed in the child's service plan.

FORMS OF DISCIPLINE REQUIRING CPS APPROVAL

Restrictions of a child's activities, such as grounding a child from an activity, which will be imposed on a child for ***more than 30 days***, must be reviewed by the appropriate Child Protective Services staff member *before or within 24 hours of* imposing the restriction (see below).

Restrictions to a particular room or building that will be imposed on a child for ***more than 24 hours***must have approval from the appropriate Child Protective Services staff member *before or within 24 hoursof* imposing the restriction (see below). Restrictions that constitute seclusion are not allowed.

RESTRICTION APPROVAL: In order to gain approval for these restrictions, foster parents must call the child's caseworker *before or within 24 hoursof* imposing the restriction. The child's caseworker will contact the appropriate management for approval or denial regarding the restriction. The caseworker or other designated staff member will contact the foster parent with a determination of whether the restriction will be allowed.

CORPORAL PUNISHMENT IN SCHOOLS

Foster and pre-consummated adoptive parents and CPS staff must **not** give permission to any person or entity (including schools) to discipline a foster or pre-consummated adoptive child in ways that are not consistent with the Department's discipline policy. A school cannot be prevented from using corporal punishment, but, if asked to consent to a school policy that includes corporal punishment, a foster or pre-consummated adoptive parent must refuse. If a caregiver becomes aware that a school intends to use corporal punishment to discipline a child in CPS conservatorship, the caseworker should be notified, so that CPS can attempt to intervene and convey the compelling reasons against this form of punishment with respect to this population of children.

INFANTS

Foster and pre-consummated adoptive parents who care for infants must understand discipline of any type is not appropriate or permitted for infants. Infant is defined as a child from birth to 17 months. Infants do not have the cognitive ability to understand verbal direction and modify their behavior accordingly. Nothing can substitute for adult supervision and interaction. For example, if a 14-month-old is wandering toward the street, a caregiver can say "Stop! I need you to stay close to me," but this cannot substitute for physically preventing the child from entering the street. The caregiver cannot expect the child to stop and cannot expect the infant to not repeat this behavior.

This does not mean that an infant should not experience natural consequences for their behavior, but rather that the caregiver should not expect any cognitive learning or behavior modification to result. For example, if a 15-month-old bites someone, the caregiver should separate the biting infant and show empathy for the biting victim, but you cannot expect any consequences that the infant experiences to affect future biting behavior.

While an infant should experience natural, non-punitive consequences (e.g. being moved away from a hot stove), any expectation that an infant learn and modify his behavior could lead to unrealistic expectations, decreased supervision necessary to prevent dangerous situations, and frustration on the part of the caregiver.

PROHIBITED FORMS OF DISCIPLINE AND THERAPEUTIC INTERVENTIONS

Physical discipline (such as spanking) **must not** be used on a child in any DFPS foster home or pre-consummated adoptive home.Any form of discipline used **may not** violate any of the specific prohibitions in *Minimum Standards for Child-Placing Agencies*. Discipline of children must not result in bruises, welts, burns, fractures, sprains, exposure, poisoning, or other types of injuries.

The child has the right to be free from any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment which includes, but not limited to:

- shaking the child;
- subjecting the child to corporal punishment;
- threatening the child with corporal punishment; and
- any unproductive work that serves no purpose except to demean the child, such as moving rocks from one pile to another or digging a hole and then filling it in.

Discipline may not consist of withholding food, shelter, visitation, supervision, medical or educational care, other necessities, mail, or special items such as Christmas gifts, or birthday gifts. Threatening the child with loss of placement, name calling or labeling the child, and embarrassing or degrading the child are not acceptable forms of discipline. Additionally, one child in care may not discipline or punish another child in care, except when babysitting, as allowed by Minimum Standards for Child-Placing Agencies.

Holding Intervention is prohibited. Holding intervention is sometimes used as a therapeutic approach to promote the child's ability to bond with others and is not used to hold or restrain a child from harming himself or others. This form of therapy is considered a restraint used in non-emergency situations and, therefore, may not be used as a therapeutic approach with children in DFPS foster or pre-consummated homes, even if recommended by a licensed psychologist or psychiatrist.

Restraints and seclusion are never allowed as a form of discipline and they are prohibited for all purposes for any child placed in a DFPS foster or adoptive home, subject only to a very limited exception for "short personal restraints" as provided below.

The definitions below are adapted from the *Minimum Standards for Child-Placing Agencies*

RESTRAINT is defined as the use of physical force alone, the use of a device, or the use of emergency medication in order to assist a child in regaining control. This includes personal restraint, mechanical restraint, and emergency medication.

- **CHEMICAL RESTRAINT** is defined as the use of any chemical, including pharmaceuticals, through topical application, oral administration, injection, or other means, solely for the purpose of immobilizing a child or sedating a child as a mechanism of control. Chemical restraints are prohibited.
- **MECHANICAL RESTRAINT**is defined as the application of a device for the purpose of restricting the free movement of the whole or a portion of a child's body in order to control physical activity. Mechanical restraints are prohibited.

- **PERSONAL RESTRAINT** is the application of physical force, including escorting, without the use of any device for the purpose of restricting the free movement of the whole or a portion of a child's body in order to control physical activity. **Personal restraints are prohibited**, with the limited exception that short personal restraints may be used to protect a child of any age from imminent danger or to control a tantrum in a public place of a child who is under the age of five. The restraint must be ended as soon as the danger or behavior subsides, or at the end of 60 seconds, whichever occurs first.
    - **SHORT PERSONAL RESTRAINT** is a personal restraint that does not last longer than one minute before the child is released. For example, blocking a child from entering a busy street.

SECLUSION is defined as the placement of a child, for any period of time, in a room or other area where the child is alone and is physically prevented from leaving by a locked or barricaded entryway. An intervention that restricts a child to a room that involves a caregiver placing his or her body between the child and the exit from that area (for example, standing in the doorway of a room) is not seclusion because the child is not alone. If a caregiver uses physical force or a physical barrier to restrain a child or prevent a child from leaving, the intervention becomes a personal restraint or seclusion as defined by Minimum Standards for Child-Placing Agencies. **Seclusions are prohibited.**

REQUIRED NOTIFICATIONS TO THE CHILD

- **Allowable Discipline Practices.** At the time of placement, a foster or pre-consummated adoptive parent must provide each child with a copy of the discipline practices allowed in the home.
- **Use of Restraints.** Age-appropriate explanations regarding the prohibitions against the use of restraints must be provided to each child at time of placement.
- **Right to Provide Comments.** Children must be notified of their right to voluntarily provide comments if a restraint is performed on them or another child in a DFPS foster/adoptive home. The notification must include an explanation of the process for submitting such comments. The process must be easily understood and accessible.

ACKNOWLEDGMENT

I have read, understand, and agree to abide by the DFPS Discipline Policy for foster and adoptive children in my care. Signing this form signifies understanding of the policy and agreement to adhere to the DFPS discipline policies and procedures. Failure to adhere to the DFPS discipline policies and procedures may result in adverse action against my home and affect the placement of children in my home.

SIGNATURES

Applicant Signature:	Date Signed:
PRINT Name:	
Applicant or Adult Caregiver Signature:	Date Signed:
PRINT Name:	