

LCCS POLICY 662

Treatment of Children by Out-of-Home Caregivers

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See new Policy #:	

Scope:	This policy applies to all Services Division Workers of Record / Supervisors / Managers; and, Out-of-Home Caregivers serving Children in LCCS Custody.
Responsibility:	Associate Directors of Services and Quality Improvement Division
Purpose:	To provide guidelines for the treatment of all children in out-of-home care settings that enhance CPS ability to prevent further Maltreatment and positively impact Child Well-Being.
Legal Cite:	O.R.C. § 5153.16, O.A.C. 5101: 2-1-01, 5101:2-42-18

POLICY STATEMENT

Every child placed with an out-of-home caregiver will be:

- Given the right to enjoy freedom of thought, conscience and religion.
- Treated with kindness, consistency and respect.
- Provided with humane, instructive discipline appropriate to their age and development level.

PROCEDURE

Religious Participation and Cultural Differences:

- All out-of-home caregivers shall demonstrate consideration for and sensitivity to the religious background of each child placed with them. Out-of-home caregivers shall not unlawfully discriminate in providing care and supervision to children on the basis of race, gender, religion, color, disability, age, or national origin.
- Prior to placement the **worker of record** will discuss with the parent, guardian, or legal custodian any activities appropriate to the child's national origin.
- The **worker of record** will discuss with the out-of-home caregiver the child (ren)'s cultural, ethnic and religious background and hobbies or interests during the first visit to the home. The discussion will focus on identifying the cultural heritage as well as community, school

and recreational activities in which the child(ren) is/are encouraged to and can regularly participate that are appropriate to his/her age and developmental level, as well as transportation to and from these activities.

- The **worker of record** (for non-foster caregivers) or the **foster care worker** (for foster caregivers) will inform the caregiver that they shall provide each child the opportunity to practice the chosen religious beliefs and faith of the child (or his/her family) unless it is determined and documented in the child's case record that practicing the child's (or family's) chosen religious beliefs and faith is not in the child's best interest; not baptize or submit the child (ren) to any religious procedures without the prior consent of the child (according to age/development level), and without prior written approval of the child's parent, guardian, or custodian; and encourage, but not coerce, them to participate in any religious activities.
- All discussions regarding religious participation and cultural differences will be documented in the case record.

Care, Supervision and Discipline:

A foster caregiver shall treat each child with kindness, consideration, and respect. Out-of-home caregivers must agree not to utilize the following methods of punishment:

- any type of physical punishment such as spanking, paddling, punching, shaking, biting, hair pulling, pinching, or rough handling; physically strenuous work or exercises;
- requiring a child to take an uncomfortable position, such as squatting or bending, or requiring a child to perform repeated physical movements;
- denial of school;
- denial of social or recreational activities for periods of time longer than one week;
- denial of social or casework services, medical treatment, or educational services;
- deprivation of meals;
- verbal abuse, swearing, derogatory remarks about foster children, their family, their races, their gender, their religion, their color or their national origin, threats of physical violence or removal from the out-of-home care setting;
- denial of visitation or communication rights with birth family;
- denial of sleep;
- denial of shelter, clothing, bedding, or restroom facilities.

LCCS prohibits the use of physical restraint.

Children's Rights in Out-Of-Home Care Settings

Children in foster care have a right to:

- Protection from abuse, neglect, sexual exploitation, or inhumane treatment. Children shall not be threatened with confinement in a detention or mental health facility.
- Physical security, including a safe place to sleep, balanced meals at regular hours, adequate clothing, mental health services, visitation with family members and friends, regular contact with caseworker, and other persons providing services.
- Privacy within the limits of family living, adequate storage for personal possessions, mail without censorship, private conversations, reasonable access to the telephone congruent with the child's age. Reasonable telephone access to birth family and LCCS for emergency

purposes at all times. Children may share a room and will eat with other members of the family.

- Practice the religion of her/his birth family. A child shall not be required to practice any religion.
- Privileges shall be allowed and responsibilities assigned similar to those a family member of the caregiver has who are of similar age and functioning level.
- Skills and tasks required for life in the community will be taught by the caregiver.
- Personal hygiene needs of foster children not capable of meeting their own need will be provided daily to ensure the child is clean and groomed daily.
- Provision of clothing and footwear that is clean, well fitting, seasonal and appropriate to the child's age and gender.
- Provision of adequate toiletry supplies appropriate to the child's age, gender, race and national origin for those children capable of meeting their own personal hygiene needs.
- Instruction on good habits of personal care, hygiene and grooming appropriate to the child's age, gender, race, national origin and need for training.

Education:

- The out-of-home caregiver shall make arrangements with LCCS for each school age child to attend a school which complies with the minimum standards as prescribed by the state board of education and shall ensure that the child attends school on a regular basis, or in accordance with the child care agreement.
- A foster caregiver that provides home schooling for a foster child shall do so only with the approval of LCCS. Any home schooling program used by a foster caregiver shall be approved by the public school district in which the caregiver resides.
- A foster caregiver shall not change the child's school without prior approval of LCCS.

Health Services:

- The out-of-home caregiver shall not require a child to receive non-emergency medical treatment that conflicts with the religious tenets or practices of the religion of the child, (or parent) without the specific written consent of the parent, guardian, or custodian.
- When a child in an out-of-home care setting requires emergency medical treatment which conflicts with the religious tenets or practices of child, parent, guardian, or custodian, the out-of-home caregiver will immediately transport or arrange for the transportation of the child to a medical facility and will contact LCCS at once or the individual who placed the child (i.e., custody holder if different from the PCSA).
- A foster caregiver shall not change the child's primary care physician (PCP) upon placement of the child or at any other time without prior approval of LCCS.

Human Research Projects, Fundraising, or Public Relations Activities:

Children placed with out-of-home caregivers shall not be involved in human research projects. Their involvement in fundraising or public relations activities will be decided on a case by case basis. LCCS shall not involve a child in fundraising or public relation activities without taking into consideration (where developmentally appropriate) the child's fully informed, written

preference/consent and (where custody is only temporary) the prior informed, written consent of the parent, guardian, or legal custodian. These consents must be documented in the case record.

CASE PRACTICE GUIDES

RELATED POLICIES and FORMS

LCCS Policy 686 (Child Abuse & Neglect Allegations made to Family Visits Staff)

LCCS Policy 735 (Assessment & Training of Foster Families)

LCCS Policy 740 (Grievance Review & Resolution Procedure)

LCCS Policy 980 (Psychotropic Medication)

LCCS Unusual Incident Reporting/Accident Form 1453