


DFCS DISCIPLINE STANDARDS



Presented By Dianne Yearby, Director
Office of Provider Management
Division of Family and Children Services

FY 2012 RBWO Minimum Standards


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**FY 2012 Room, Board and Watchful Oversight
Minimum Standards for
Child Placing Agencies and
Child Caring Institutions**

Division of Family and Children Services
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Discipline Webinar Agenda

- Discipline vs. Punishment
- Taylor v Ledbetter Consent Decree
- Acceptable Discipline Practices
- Prohibited Discipline Practices
- RBWO Safety Standards
- Reporting Standards
- Post Test Information


Safety / Discipline Standard Values

No child will be abused or neglected, or managed through the use of corporal punishment on our watch!

Standard 1: Safety of Children in Care
The safety of children in care is paramount; no child will be abused or neglected in foster care.

Standard 2: Safe and Appropriate Behavior Management
Use of corporal (physical or emotional) punishment is strictly prohibited.

A Delicate Balancing Act for Staff and Caregivers




Caring for children with serious, mental, behavioral and emotional needs and a history of maltreatment is very challenging for any foster parent or staff.

□ 1.0 Providers must have policy and procedures in place to promote the safety and welfare of children and to ensure that children are protected from abuse and neglect.

Discipline vs. Punishment

- Instruction
- Training that corrects or molds character
- System of rules that governs behavior





Punishment is a consequence.

- Penalty for an not acting in a *disciplined* manner
- Deliberately inflicted physical or emotional pain

□ 1.1 Providers (which includes all staff, caregivers, volunteers etc.) will adhere to the requirements of the Taylor vs Ledbetter Consent Decree which prohibits the improper punishment of children in care. Improper punishment includes any physical or emotional act to deliberately inflict pain to the body or which creates undue fear, anxiety or feelings of humiliation or degradation.

Taylor vs. Ledbetter


- Prohibits Use of Improper Punishment
- Mandates Response Time for Allegations of Abuse/Neglect




Acceptable Alternatives to Physical/Emotional Punishment

Acceptable

- Reinforce Acceptable Behavior
- Use Natural / Logical Consequences
- Grounding / Time-Out
- Loss of Privileges
- Redirection



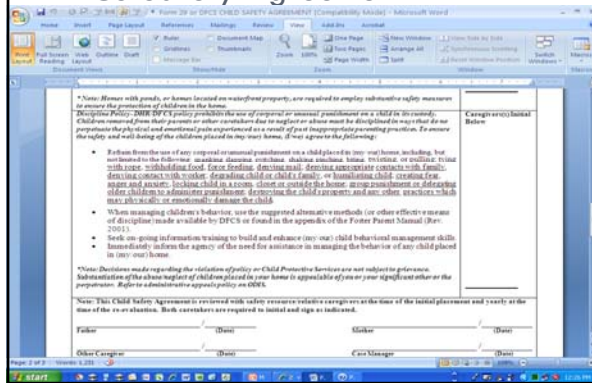
Prohibited Discipline Practices



Prohibited Punishment Practices

- Spanking
- Slapping, Switching
- Hitting with a hand or any other object
- Tying a Child Up
- Withholding Meals
- Withholding Family Contact (mail, calls, visits)
- Exercise , Physical Activity
- Delegating Authority for Punishment to Other Adults or Children
- Criticizing the child or child's family
- Humiliating , degrading or subjecting child to ridicule
- Threatening Expulsion
- Locking Child Inside Room
- Group Punishment
- Chemical Restraint
- Anything Bizarre or Unusual
- Anything Else...

DFCS Safety Agreement



Safety / Discipline Standard Values

No child will be abused or neglect, or managed through the use of corporal punishment on our watch!

- Standard 1: Safety of Children in Care**
The safety of children in care is paramount; no child will be abused or neglected in foster care.
- Standard 2: Safe and Appropriate Behavior Management**
Use of corporal (physical or emotional) punishment is strictly prohibited.

2.0 Providers are prohibited from using or authorizing the use of corporal punishment with any child in the Department's custody.

2.1 Providers must have a behavior support and intervention policy that reinforces the banning of all physical or emotional punishment. Providers must ensure, through appropriate training, that staff and caregivers are aware of the corporal punishment prohibition and follow the policy prohibiting the use of corporal punishment with any child in the Department's custody.

2.2 Providers must establish practices to manage children who exhibit difficult or aggressive behaviors and ensure that their staff and caregivers are trained to understand such behaviors and can safely respond.

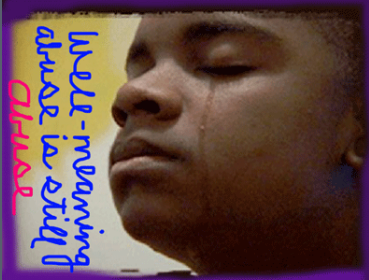
2.3 Providers must ensure that staff and caregivers understand and have the necessary skills to carry out the agency's behavior management policies. The behavior management strategy or practice must be effective and appropriate for the types of children served, understood by staff and caregivers, and explained to children.

1.5. Providers must have a process for identifying individual triggers, coping behaviors, calming measures, interventions, and effective behavior management / prevention strategies for each child in order to de-escalate and avoid full-blown crises.

a. Staff and/or foster parents should be trained to identify danger signals, potential triggers, and possible medical emergencies for the child.

No Bullying

- 1.8 Providers must ensure that children in their care are protected from bullying by other children placed and staff.
- 1.9 Providers (staff and caregivers) must create an atmosphere where bullying is known to be unacceptable.
- 1.10 Providers must have a policy on bullying, which includes the following: a definition of bullying, types of bullying, training for staff and caregivers, measures to prevent bullying, responses to and reporting of bullying.



REPORTING STANDARDS

Maltreatment in Care

Mandated Reporting

- 1.2 Staff and caregivers must understand the Mandated Reporting law and procedures to report concerns about abuse and neglect.
 - a. Providers must immediately notify the DFCS county office where the provider is located as well as the custodial county of any child involved when there is an allegation or suspicion of abuse, neglect, or corporal punishment of any child/children being served.
 - b. The provider must cooperate fully with DFCS and those investigating and prosecuting the alleged maltreatment of children, including providing access to the records, staff, facilities, and foster parents as dictated by the circumstances of the particular case.
 - i. Such investigations will necessitate unannounced visits to various sources, including foster homes, facilities, staff, victims, other residents, schools, neighbors and other collateral contacts.
 - ii. The provider must comply with the recommendations of the investigation's report and must implement and maintain any required follow-up regarding the safety and well-being of the child/children in care.

Corporal Punishment Reporting

- 2.4 If corporal punishment is used with any child in the Department's custody, the incident must be reported to county CPS and the provider must take appropriate actions to prevent a recurrence. Providers must cooperate fully with the Department in assessing alleged incidents of the use of corporal punishment.
- 2.5 If the provider is a CPA and corporal punishment has occurred in a foster home placement operated by the provider, the provider agrees that the Department may choose, in its sole discretion, to move a child from the provider's foster home and/or to discontinue use of the foster home placement for children in the Department's custody.

Any Significant Events

- 1.12 Providers must notify OPM whenever there is a Significant Event relating to the provider's operation or to the care or protection of children in its care. Notification must be made as soon as possible but within one business day via GA Score. Additionally, based on circumstances and the severity of situations, providers should use good judgment in determining which Significant Events should also be reported verbally to OPM.



Consequences

Endure a CPS Investigation	Loss of Job
Excluded from Employment in Child Care /Education	Excluded from Fostering or Adopting
Organizational Lawsuits	Personal Lawsuits

CPA Caregivers

- 2.6 As a result of a corporal punishment incident, if children in the Department's custody remain in the foster home, the provider must develop a corrective action plan with the foster parent, which must be signed by all parties involved and monitored to make sure the foster parents are in compliance. Children must be removed and the home closed to DFCS placements if any of the following apply:
 - a. The foster parents are not amenable to change or correct their disciplinary practices, or to Department intervention;
 - b. The incident of corporal punishment had a direct impact on the safety and well-being of a child, or posed a serious risk to the safety of a child; or
 - c. A second incident of corporal punishment occurs in the foster home placement.

CCI Staff

2.7 If the provider is a CCI and an instance of corporal punishment occurs, an organizational corrective action plan must be submitted (even if the staff person in question is terminated) and approved by OPM. A corrective action plan for an individual staff member is acceptable when:

- a. it is the first incident involving the staff member;
- b. the staff person is amenable to change and it is clearly documented that the individual has demonstrated a willingness to use appropriate disciplinary practices going forward; and
- c. the incident of corporal punishment has not posed a serious risk that directly impacts the child's safety and well-being.

If one or more of the preceding conditions does not apply, the provider must ensure that the staff person in question no longer has any direct or indirect contact with the child population where DFCS is responsible for their care, custody or control of.

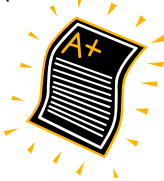
28

For More Information on the Discipline Standards refer to your FY 2012 RBWO Minimum Standards, the DFCS Foster Parent Manual and your agencies policy manual.

29


Completion Certificates

- The post-test information is apart of the handouts for this presentation. Please access the website indicated for the test location.
- You must earn at least 70% on the post-test to receive a completion certificate.



Questions?

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30
