

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 8:</b> Out-of-Home Services	<b>Effective Date:</b> November 1, 2014
	<b>Section 18:</b> Behavior Management and Discipline in Resource Homes	<b>Version:</b> 2

## STATEMENTS OF PURPOSE

DCS **prohibits** the following types of **discipline** by resource parent(s) including, but not limited to:

1. Corporal punishment<sup>1</sup>;
2. Physical exercise (e.g., push-ups and running);
3. Requiring or using force to make a child take an uncomfortable physical position;
4. Verbal remarks that ridicule a child and/or his or her family;
5. Punishment for an emotional response appropriate to the situation (e.g., punishing the child for crying in response to getting hurt);
6. Denial of essential services (e.g., health care, food, clothing, bedding, sleep, mail, and/or family visitation);
7. Threats of removal or denying reunification;
8. Shaking;
9. Placement in a locked room; and/or
10. Holding with mechanical or chemical restraints.

The Indiana Department of Child Services (DCS) requires that resource parent(s) shall be responsible for discipline. Discipline shall:

1. Not be delegated to the child's peers or to persons who are strangers to the child;
2. Be age and developmentally appropriate;
3. Be related to the child's act;
4. Be proportionate to the particular inappropriate behavior; and
5. Be handled without prolonged delay.

DCS allows the following discipline techniques (see [Related Information](#)) by resource parent(s):

1. Verbal and written contracts (i.e., to agree upon desirable behaviors);

**Note:** DCS strongly encourages the use of lesser forms of discipline including contracts and behavior management before corrective action is used.

2. Behavior management through incentives and rewards; and

**Note:** The resource parent(s) with input from the Family Case Manager (FCM), Child and Family Team (CFT), and other professionals (e.g., child's psychologist) will develop a behavior management program for the child, as needed.

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<sup>1</sup> Corporal punishment: Physical hitting or any type of physical punishment inflicted in any manner upon the child's body.

3. Corrective action for undesirable behaviors.

**Note:** Corrective action **does not** include physical discipline. See [Related Information](#) for details on corrective action.

DCS **prohibits** the use of physical restraint<sup>2</sup> by a resource parent(s) unless:

1. It is specifically authorized by DCS in advance, in writing, as part of the child's behavior program;
2. The resource parent(s) has been appropriately trained and certified by a DCS approved provider in prevention and use of physical restraint;
3. It is an emergency situation and the child is a clear and present danger to himself or herself or others; and
4. Less restrictive interventions have been determined to be ineffective.

A person uninvolved in the restraint and trained in emergency interventions shall continuously maintain direct observation of the child during the restraint.

**Note:** The use of physical restraint must be authorized by DCS and documented in the child's [Case Plan \(SF2956\)](#). In an emergency situation, the safety of the child is paramount. Action should be taken to ensure the child does not harm himself or herself or others. **DCS must be notified immediately if action is taken.**

The resource parent(s) and/or a Licensed Child Placing Agency (LCPA) will notify DCS within one (1) business day of all instances when physical restraint has been used.

**Exception:** DCS will be notified immediately if injury occurred to the child, resource parent(s), or another person(s).

The resource parent(s) must maintain a record of each incident of physical restraint and make the record available to DCS. The record must include:

1. The date and time of the incident;
2. The name of the child;
3. The form of restraint used;
4. The length of time in restraint;
5. The name and title of the person applying the restraint;
6. The name of the uninvolved person responsible for observing the child while in restraint; and
7. A description of the child's behavior prior to, during, and after use of restraint.

DCS will work with the CFT to explore alternative solutions, including, but not limited to, placement in a more restrictive setting if physical restraint becomes necessary on a routine basis.

#### Code References

1. [465 IAC 2-1.5-16 Care of Children: Discipline](#)
2. [465 IAC 2-1.5-17 Physical restraint](#)

### **PROCEDURE**

The FCM will:

<sup>2</sup> Example: A protective hold. This does not include mechanical restraint.

1. Ensure the resource parent(s) are familiar with and understand the content of this policy;
2. Ensure that when requested and found necessary by the CFT, the resource parent(s) receive assistance with creating, implementing, and enforcing behavior plans (including contracts, behavior management, and corrective action). See [Related Information](#) and [8.D Tool: Behavior Management Plans](#), for details;
3. Communicate with the child and the resource parent(s) regarding the child's behavior and response to discipline;
4. Seek supervisory guidance regarding appropriate actions when behavior or discipline issues arise that are beyond the scope of this policy. Consider every appropriate alternative before considering a placement disruption and/or placement of the child in a more restrictive setting. For further guidance, see separate policies [8.4 Emergency Shelter Care and Residential Placement Review](#), [8.17 Respite Services for Resource Parent\(s\)](#), and [8.38 Placement Changes](#);
5. Staff with his or her FCM Supervisor, Local Office Director (LOD), and Clinical Services Specialist if he or she believes physical restraint is necessary;
6. Document in the child's [Case Plan \(SF 2956\)](#) if the use of physical restraint is approved by the Central Office Foster Care Unit; and
7. Ensure the resource parent(s) receive, understand, and sign a copy of this policy.

**Note:** The resource parent(s) will notify the DCS local office within one (1) business day of all instances when physical restraint has been used.

The LOD will:

1. Staff the decision to add physical restraint to the child's behavior management program with the Clinical Services Specialist, Regional Manager (RM), and the Deputy Director of Field Operations; and
2. Seek approval from the Central Office Foster Care Unit if there is agreement from all levels that it is necessary for physical restraint to be part of the child's behavior management program.

The Central Office Foster Care Unit will:

1. Review and make a decision on the use of physical restraint utilizing these factors:
  - a. The type of physical restraint approved for use on the child,
  - b. The criteria and time limitations for use,
  - c. The persons authorized to use the restraint on the child, and
  - d. The date and type of training received.
2. Locate and arrange an appropriate provider if physical restraint is approved. No physical restraint will be used until the training is completed.

#### PRACTICE GUIDANCE

N/A

#### FORMS AND TOOLS

1. [8.D Tool: Behavior Management Plans](#)
2. [Case Plan \(SF 2956\)](#) – Available in the case management system

## RELATED INFORMATION

### **General**

Discipline involves teaching a child that his or her behavior results in certain consequences; positive behavior leads to positive consequences and negative behavior leads to negative consequences. An awareness of consequences helps a child control his or her own behavior. The most important factor in the effectiveness of discipline is the child and resource parent(s) relationship. The resource parent(s) may not have a long-term relationship with a foster child; therefore, trust may not exist between the child and the resource parent(s). Consequently, certain discipline techniques may not be effective initially and/or may lead to mistrust between the child and the resource parent(s).

### **Guidelines for Resource Parent(s)**

When used appropriately, **contracts**, **behavior management**, and **corrective action** can be effective methods for encouraging internal control and self-responsibility in a child. When any form of discipline is used with a child, the following guidelines are recommended for resource parent(s):

1. Discipline should be consistent with and based on the understanding of the child's age and development;
2. Use encouragement and praise whenever possible to reinforce positive behaviors;
3. Refrain from corrective action while angry. Wait until anger subsides before implementing discipline;
4. Set clear limits, rules, and expectations and communicate these to the child;
5. Have the child take responsibility for his or her actions and correct his or her behavior or the situation, if possible;
6. Give the child choices and involve him or her in the decision-making process. This helps a child develop internal control; and
7. Consequences for inappropriate behavior should generally be more immediate for a younger child.

For more information on contracts, behavior management, and corrective action see [8.D Tool: Behavior Management Plans](#).

### **Providing Assistance and Support to Resource Parent(s)**

The FCM should ensure the resource parent(s) receive support and guidance on creating, implementing, and enforcing discipline plans. The FCM may provide support and guidance directly if he or she has experience dealing with discipline challenges and is comfortable doing so. Otherwise, the FCM should enlist the help of outside sources (e.g., child's therapist) and refer the resource parent(s) to support groups and other community-based resources. When enlisting the help of outside sources, the FCM should provide a copy and review this policy with the resource parent(s) and the provider and ensure the provider does not recommend forms of discipline that are prohibited by DCS.

### **Child Threatening Others With A Weapon**

If a child has a weapon and is threatening others with it, but not actually attacking anyone, the resource parent(s) should try to avoid confrontation by:

1. Giving the child space;
2. Removing other persons from the area; and
3. Obtaining appropriate assistance to disarm the child (i.e., call for assistance from the local Law Enforcement Agency [LEA]/911).