

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 8: Out-of-Home Services	Effective Date: October 1, 2021
	Section 18: Behavior Management and Discipline in Resource Homes	Version: 3

POLICY OVERVIEW

Discipline involves teaching children that their behavior will result in certain consequences. An awareness of consequences helps children control their own behavior. In order to ensure children in out-of-home care receive age and developmentally appropriate discipline related to their behavior, resource parents must receive support and guidance in creating, implementing, and enforcing appropriate discipline plans.

PROCEDURE

The Indiana Department of Child Services (DCS) will ensure that a resource parent is responsible for providing appropriate discipline of a child in the resource parent's care. 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 a resource parent to use the following discipline techniques:

1. Verbal and written contracts (i.e., to agree upon desirable behaviors);
2. Behavior management through incentives and rewards; and

Note: The resource parent, with input from the Family Case Manager (FCM), Child and Family Team (CFT) members, and other professionals (e.g., child's psychologist), will develop a behavior management plan for the child, as needed. DCS strongly encourages the use of lesser forms of discipline, including contracts and behavior management before corrective action is used.

3. Corrective action for undesirable behaviors. (this **does not ever** include physical discipline)

DCS **prohibits** the following types of **discipline** by the resource parent (this is not a comprehensive list):

1. Corporal punishment;
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 the child's 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., family visitation, mail, health care, food, shelter, clothing, bedding, and/or sleep);

7. Threats of removal or denying reunification;
8. Shaking;
9. Placement in a locked room; and/or
10. Holding with mechanical or chemical restraints.

DCS **prohibits** the use of physical restraint by a resource parent unless all of the following have been met:

1. It is specifically authorized by DCS in advance, in writing, as part of the child's behavior program;
2. The resource parent 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 self and/or others; and

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

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

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/Prevention Plan. In an emergency situation, the safety of the child is paramount. Action should be taken to ensure the child and/or others are not harmed.

DCS must be notified immediately if physical restraint has been used on a child in DCS care.

The resource parent 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, or another person.

The resource parent 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 the child was in the 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.

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

The FCM will:

1. Ensure the resource parent is familiar with and understands the content of this policy;
2. Ensure that when requested and found necessary by the CFT, the resource parent receives assistance with creating, implementing, and enforcing behavior plans (including contracts, behavior management, and corrective action). See 8.D Tool: Behavior Management Plans for details;

Note: The FCM will review and provide a copy of this policy and the child's behavior management plan to any provider and ensure the provider is aware of forms of discipline that are prohibited by DCS.

3. Communicate with the child and the resource parent 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 policies 8.04 Emergency Shelter Care and Residential Placement Review, 8.17 Respite Services for Resource Parent(s), and 8.38 Placement Changes;
5. Staff with the FCM Supervisor, Local Office Director (LOD), and Clinical Services Specialist if the FCM believes physical restraint is necessary;
6. Document in the child's Case Plan/Prevention Plan if the use of physical restraint is approved. See policy 5.08 Developing the Case Plan/Prevention Plan for further guidance;
7. Ensure the FCM Supervisor is aware of each use of physical restraint and document the incident in the case management system;
8. Explore alternative solutions with the CFT, including, but not limited to, placement in a more restrictive setting if physical restraint becomes necessary on a routine basis; and
9. Ensure the resource parent receives, understands, and signs a copy of this policy.

The FCM Supervisor will:

1. Assist and guide the FCM in developing the child's behavior management plan;
2. Staff all decisions to add physical restraint to the child's behavior management plan and Case Plan/Prevention Plan with the the FCM, LOD, and Clinical Services Specialist; and
3. Ensure the FCM has documented all behavioral modifications in the case management system.

The LOD will:

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

The Foster Care Unit and DCS LCPA Licensing Unit:

1. Review and discuss the use of physical restraint with the Clinical Services Specialist, Foster Care Unit, and other appropriate individuals. Make a decision regarding the use of physical restraint for the child 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.

LEGAL REFERENCES

- [465 IAC 2-1.5-16 Care of children; discipline](#)
- [465 IAC 2-1.5-17 Physical restraint](#)

RELEVANT INFORMATION

Definitions

Corporal Punishment

Corporal punishment is physical hitting or any type of physical punishment inflicted in any manner upon the child's body.

Mechanical Restraint

A Mechanical Restraint is a restraint of a person by the application of a device or object to the person's body, or a limb of the person to restrict the person's movement.

Physical Restraint

A physical restraint is a protective hold. This does not include mechanical restraint.

Resource Parent

For purposes of DCS policy, a resource parent includes a foster parent, licensed or unlicensed relative or kinship caregiver, and a pre-adoptive parent.

Forms and Tools

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

Related Policies

- [5.08 Developing the Case Plan/Prevention Plan](#)
- [8.04 Emergency Shelter Care and Residential Placement Review](#)
- [8.17 Respite Services for Resource Parent\(s\)](#)
- [8.38 Placement Changes](#)