

5101:2-7-09

Care, supervision and discipline.

- (A) A foster caregiver shall treat each foster child with kindness, consistency, and respect.
- (B) A foster caregiver shall not discriminate in providing care and supervision to foster children on the basis of race, sex, gender, sexual identity, sexual orientation, religion, color or national origin.
- (C) A foster caregiver shall provide humane, instructive discipline appropriate to the age and functioning level of a foster child.
 - (1) Disciplinary methods shall stress praise and encouragement for desired behavior rather than punishment.
 - (2) All rules and expectations made by a foster caregiver shall be explained to a foster child in a manner appropriate to the child's age and understanding during the child's initial orientation and prior to any disciplinary action for violations of such rules.
 - (3) A foster child shall not be punished for actions over which the child has no control.
 - (4) A foster child shall not be punished for bed-wetting or in the course of toilet training activities.
- (D) A foster caregiver shall not subject a foster child to verbal abuse or swearing; to derogatory remarks about foster children; and their families, ~~their~~ races, ~~their~~ sex, gender, sexual identity, sexual orientation, ~~their~~ religion, ~~their~~ color or ~~their~~ national origin; or to threats of physical violence or removal from the foster home.
- (E) A foster caregiver shall not use any of the following practices for a foster child:
 - (1) Physical hitting or any type of physical punishment inflicted in any manner upon the body ~~such as~~ including but not limited to spitting, spanking, paddling, punching, shaking, biting, hair pulling, pinching, or rough handling.
 - (2) Physically strenuous work or exercises, when used as a means of punishment.
 - (3) Requiring or forcing a foster child to take an uncomfortable position, such as squatting or bending, or requiring a foster child to repeat physical movements when used as a means of punishment.

- (4) Denial of social or recreational activities for excessive or prolonged periods of time, as defined by the agency.
 - (5) Denial of social or casework services, medical treatment, or educational services.
 - (6) Deprivation of meals.
 - (7) Denial of visitation or communication rights with the family of the foster child as a means of punishment.
 - (8) Denial of sleep.
 - (9) Denial of shelter, clothing, bedding or restroom facilities.
- (F) Physical restraint of a foster child shall only be utilized by a caregiver who has received specific training and annual review in acceptable methods of restraint. Documentation of such training shall be contained in the foster home record.
- (G) Physical restraint may be used by a caregiver when there is an imminent risk of physical harm:
- (1) For self protection.
 - (2) For protection of the child from self-destructive behavior.
 - (3) To protect another person from a foster child.
- (H) A foster caregiver shall use only the least restrictive physical restraint necessary to control a situation. A foster caregiver shall not use any device to prevent or restrict movement as punishment or for convenience.
- (I) If physical restraint is used, a foster caregiver shall:
- (1) Notify the recommending agency immediately following the use of physical restraint.
 - (2) Submit a detailed written report to the recommending agency within twenty-four hours following the use of physical restraint.

(J) If the foster caregiver notifies the recommending agency that the caregiver used physical restraint, the recommending agency shall:

(1) Notify the placing agency (if different) within twenty-four hours of the receipt of the detailed written report of the use of physical restraint from the caregiver.

(2) Place a copy of the written report of the use of physical restraint from the caregiver in the foster child's record and in the foster caregiver's record.

(K) A foster caregiver shall not use any form of prone, chemical or mechanical restraint on a foster child.

(L) Any act of omission or commission by a foster caregiver or other member of the household which results in any of the following toward a foster child ~~shall~~ may be grounds for the denial or revocation of a foster home certificate:

(1) Death.

(2) Injury.

(3) Illness.

(4) Abuse.

(5) Neglect.

(6) Exploitation.

(M) Any recommendation to revoke the certificate of a foster caregiver may be made by the recommending agency supervising a foster home or the Ohio department of job and family services.

(N) Concerning the hygiene needs of a foster child, the foster caregiver shall:

(1) Ensure that:

(a) Each foster child's clothing and footwear shall be clean, well-fitting, seasonal and appropriate to the child's age and ~~sex~~ gender identity.

- (b) Each foster child capable of meeting their own personal hygiene needs shall be provided with adequate personal toiletry supplies appropriate to the child's age, sex, gender, sexual identity, sexual orientation, race and national origin.
- (2) Provide each foster child instruction on good habits of personal care, hygiene, and grooming appropriate to the child's age, sex, gender, sexual identity, sexual orientation, race, national origin and need for training.

Effective: 07/01/2014

R.C. 119.032 review dates: 03/14/2014 and 07/01/2019

CERTIFIED ELECTRONICALLY

Certification

05/28/2014

Date

Promulgated Under: 119.03
Statutory Authority: 5103.02, 5103.03
Rule Amplifies: 5103.02, 5103.03
Prior Effective Dates: 12/30/66, 10/1/86, 2/1/88, 1/1/91, 9/18/96, 7/1/00,
1/1/03, 12/11/06, 8/1/09