

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, 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, their families, their races, their sex, 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 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:
- (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 staff convenience.
- ~~(I) The recommending agency shall be notified by the caregiver immediately following the use of physical restraint. A detailed written report of the incident shall be submitted by the caregiver to the recommending agency within twenty four hours following the use of physical restraint. The recommending agency shall notify the placing agency (if different) immediately upon receipt of the detailed written report from the caregiver. A copy of the written report shall be placed in the foster child's record and in the foster caregiver's record.~~
- (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.
- ~~(J)~~(K) A foster caregiver shall not use any form of chemical or mechanical restraint on a foster child.
- ~~(K)~~(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 be grounds for the denial or revocation of a foster home certificate: ~~the death, injury, illness, abuse, neglect or exploitation of a foster child shall be grounds for the denial or revocation of a foster home certificate.~~ This may be a recommendation of the agency supervising a foster home or the Ohio department of job and family services:
 - (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.
- ~~(L)~~(N) ~~A foster caregiver shall ensure that each foster child placed in the foster home who is not capable of meeting their own personal hygiene needs is clean and~~

~~groomed daily. A foster child's clothing and footwear shall be clean, well-fitting, seasonal and appropriate to the child's age and sex. Foster children capable of meeting their own personal hygiene needs shall be provided with adequate personal toiletry supplies appropriate to the child's age, sex, race and national origin. A foster caregiver shall provide each foster child instruction on good habits of personal care, hygiene, and grooming appropriate to the child's age, sex, race, national origin and need for training. 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.

(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, 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, race, national origin and need for training.

Effective:

R.C. 119.032 review dates: 02/10/2009

Certification

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.