

Child Welfare Investigations in Resource Homes: A Guide for Resource Parents to Understand Their Rights and Responsibilities



YOU ARE NOT ALONE!



Resource parents who may have an abuse or neglect allegation made about them and an investigation completed should consider that:

- YOU ARE NOT ALONE!
- Resource parent pre-service training covers the likelihood of abuse allegations being made against a resource parent, but most families think it won't happen to them.
- Just because an allegation has been made, the Oklahoma Department of Human Services (DHS) DOES NOT assume that abuse/neglect occurred; a thorough evaluation of child safety and investigation is completed before any decision is made about the allegations.
- This may be a difficult time for you and may cause disruption within your family.
- You may experience feelings of fear, embarrassment, shock or anger.
- You will definitely want to know what you should do.



Abuse and neglect occurs in foster care. Resource parents are at high risk for abuse allegations because:

1. Resource families are more closely monitored than families in the general public.
2. Resource families may have more children placed in the home than they can handle, or they may accept children who are a poor match with members of the resource family.
3. Children in placement are more likely to exhibit difficult behavior that can increase stress levels in the resource family home.
4. The resource parent's ability to adequately supervise children may be questioned when a foster child is physically abusive or acts out sexually while placed in the resource home.
5. Biological parents of children in placement MAY make false reports. The parents' fears, past trauma or emotional stress could contribute to these reports.
6. Foster children MAY make false reports. Some foster children have attachment issues and become uncomfortable in a family setting. Most have had trauma experiences that affect the way they view the world and people around them. Some foster children may never feel safe due to trauma they have experienced. Their past experiences play a tremendous role for those that MAY make a false report.

Purpose of investigations of resource homes:

Children in DHS custody require ongoing protection from subsequent abuse or neglect while in custody.

State law requires all people who believe that a child has been abused or neglected to make a report to the DHS Statewide Abuse and Neglect Hotline at 1-800-522-3511. The law requires DHS to investigate the reports of child abuse or neglect for the primary purpose of protecting children.



Reporting and Assignment:

When a call is received at the DHS Abuse and Neglect Hotline, the information is documented in a Referral Information Report. The report is carefully evaluated to determine if the referral meets criteria to be accepted for assessment or investigation. All decision-making is fully documented by the child welfare (CW) specialist. All accepted abuse/neglect referrals involving children in resource homes will be investigated.

1. When information is received from any source that an accidental injury has occurred to a child in a resource home, a preliminary inquiry is conducted.
 - a. The child's CW specialist immediately interviews and observes the child, caregiver and any witnesses.
 - b. If it is determined that the injury was a result of an accident, a summary of the CW specialist's inquiry is entered in the narrative and the report may be screened out.

2. An accepted report is fully investigated and a report of the investigation is submitted to the appropriate district attorney along with the findings of the investigation that can be substantiated, unsubstantiated or ruled out.

3. A screened-out report is then referred to CW permanency planning and foster care and adoption staff to address any concerns regarding policy or rules violations.

What information will be collected from me in an investigation?

It is a CW specialist's responsibility to find out all she or he can about the situation. Law enforcement may conduct a joint investigation with the CW specialist. The CW specialist collects the following types of information:

1. A description of the alleged incident;
2. Identification of all residents/caregivers in the home;
3. A complete description of any injuries to the child, which may include asking a physician to help determine the severity of the injuries;
4. A description of the child and other children in the household;
5. Interview and observation of the child and other children outside of your presence in the household as appropriate;
6. A description of the home environment;
7. A description of the social climate and environment; and
8. A description of the family's strengths and needs.

Some of the information-gathering, especially the descriptions, can be very in-depth. Be prepared for a lot of questions! Detailed information that is collected is used to ascertain the capacity of the care provider. This information is used to assist in substantiating or refuting the allegation and may include:

1. Disciplinary techniques and strategies;
2. Ability and understanding of the supervision needs of the child;
3. Interest in protecting child from danger;
4. Physical and behavioral health;
5. Criminal history;
6. Motivation for caring for children;
7. Knowledge of social, emotional and behavioral development;
8. Intellectual functioning;
9. Recognition of strengths and needs; and
10. Financial status and work history.

What are my rights?

1. You have the right to be informed of the allegation made against you. DHS is not authorized to disclose who made the allegation.
2. You have the right to provide your information about the incident being investigated.
3. You DO NOT have the right to deny the CW specialist access to the custody child.
4. Since foster children are in DHS custody, the department has the right to make the determination whether or not to keep foster children in your care during the investigation.
5. You have a right to have an attorney represent you at your cost.
6. Any allegation that is substantiated automatically receives a program review by the Child Protective Services (CPS) Programs Unit.
7. Oklahoma law requires foster parents who are found to have abused or neglected a child in their care to be subject to placement on the Restricted Registry maintained by Child Care Services (CCS) of DHS.

How to Protect Yourself Against Allegations:

- A. Prior to placement of a custody child in your home:
 1. Get as much information about the child as possible before you accept a placement.
 2. Understand normal child development.
 3. Don't be afraid to say no to a placement if you feel that you may not be able to meet the child's needs.
 4. Communicate with the child's specialist often and honestly. If your specialist knows there are problems, the specialist can assist you before things get out of control.
 5. Seek outside resources and assistance immediately if behaviors or issues arise that are becoming out of control.

B. **DOCUMENT!** Don't trust your memory. Keep a journal of situations, reactions and behaviors.

1. Keep logs/notebooks on each child to document visitation, medical appointments, school progress/problems, medical needs, behavioral patterns, or changes and efforts to teach acceptable behavior.
2. Document any changes in behavior in children including type, severity and duration of these changes, especially after parental visitation. Include any action taken to deal with inappropriate behavior. Also document any unusual behavior the child has regarding social workers, police or medical personnel.
3. Report accidental injuries promptly, but no more than 24 hours from when the injury occurred.
4. Always document any serious conflicts with parents, children, social workers, counselors, teachers, etc.

C. If you accept a high-risk child who has had numerous placements:

1. Talk with the CW specialist about the child's abuse/neglect history and whether the child has a history of making false allegations.
2. Allow the child to discuss his or her history of abuse/neglect at the child's pace and when the child wants to discuss it.
3. Tell the child that you plan to protect him or her and yourself.
4. Enlist the help of a competent professional who is experienced in working with trauma survivors and providing resource family therapy. You and the child will need ongoing therapeutic support from a person who knows you well. Your CW specialist can assist you in getting therapy initiated.
5. Pay careful attention to supervision and safety issues, especially for younger children. Custody children **often** have fewer boundaries than other children.
6. Closely supervise children at all times.

7. Be aware of places in your residence or grounds where children might hide and monitor them frequently.
8. Leave nap room doors open and periodically check on children during these times.
9. Conduct daily safety checks often and routinely and make sure all hazardous materials are put away. Safety guidelines cannot be compromised.
10. Never use, or threaten to use, corporal punishment as a means of discipline. This form of discipline cannot be delegated to resource parents, and is a policy violation.
11. Carefully screen relatives and friends who come into your home; make sure they understand licensing regulations, house rules and any specific restrictions about individual children because of previous abuse, court orders, etc.
12. Do not be alone with a child who is sexually reactive, acts out sexually, or has provocative behavior. Advise adults and older children in the household to have another adult nearby or in the same room for the protection of both the adult and the child.
13. Sexually abused children are sometimes more likely to become repeat victims of sexual abuse. Even if a child has a history of making false allegations, always take new allegations seriously and report them. It is the duty of the resource parent, working together with professionals, to protect the child and give the child functional boundaries and self-protective strategies.



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