

Module 7: Resolving Foster Parent Concerns

Licensing Pre-Service Curriculum



Participant Guide

Office of Child Welfare

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References:	My Foster Truth: Recollections of Life in State Care: http://www.childrensrights.org/wp-content/uploads/2015/10/CR-Blog-Brochure-2015-spreads-FINAL.pdf
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Unit 7.1:

Reporting and Responding to Concerns in Foster Homes

Learning Objectives:

1. Distinguish between a report of abuse/neglect and a foster care referral.
2. List and explain the steps professionals must take when a report to the Abuse Hotline results in a foster care investigation.
3. List and explain types of problem situations that may need to be resolved.

Foster Care Referrals and Abuse/Neglect Investigations

- The agency has the right to inspect a foster home at any reasonable time and must investigate all complaints and foster care referrals alleging licensing violations.
 - Licensing Specialists must have the skills and knowledge to receive, manage, and respond to concerns in the home.
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The Benefits of the Process

Florida's QPI approach to investigations/assessments and referrals, is beneficial to children as well as foster parents:

- Children are less confused or upset by an “investigation” when it mirrors an “assessment” and they experience less trauma because these approaches are less intrusive and are more closely matched to the severity of the allegation or concern reported.
 - Licensing issues are handled by Child Welfare Professionals who are familiar with the child and foster parents.
 - Foster parents have the opportunity to develop skills without feeling threatened.
 - Law enforcement is involved only in abuse/neglect reports (when required). They may be involved in a foster care referral if the allegation is a child-on-child sexual abuse case (COC).
 - Limited staff resources are used more efficiently and, therefore, more effectively.
 - Volunteer foster parents are recognized as partners in the system of care and treated as such.
 - Foster parents are less likely to leave fostering because they are better satisfied with their experience.
 - More quality foster parents are available to provide the care that children need because there is less attrition.
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Abuse/Neglect Assessments or Foster Care Referrals

Foster care referrals are “calls to the Abuse Hotline regarding concerns about the care provided in a licensed foster home, group home, or emergency shelter that do not meet the criteria for acceptance of a report of abuse, abandonment, or neglect.

- Foster care referrals are not handled by CPIs, but by Licensing or Foster Home Support Professionals.
 - Foster care referrals are most often licensing violations.
 - Abuse/neglect investigations must meet criteria specified in law and must be handled by CPIs.
 - Abuse Hotline Counselors are trained to ask questions to determine the difference.
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Two Ways to Respond: Response Tips

Two distinct ways to respond to concerns in foster homes:

1. Abuse/neglect investigations are conducted by CPIs.
2. Foster care referrals are handled by Licensing Specialists in the CBCs.

Response tips for investigations conducted by CPIs:

- Communicate – explain time frames, outcomes, etc.
- Use the approach warranted for the situation.
- Ensure foster parent knows how to get follow-up information.

Response tips for foster care referrals handled by CBCs or the supervising agency:

- Determine if additional services are needed.
 - Connect foster parents with other training and supports.
 - Use the opportunity to teach/inform/mentor.
 - Coordinate with the Case Manager, GAL, and CLS as needed.
 - Communicate next steps.
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CPI Foster Care Intake

If the Abuse Hotline determines the concern meets the criteria for an investigation, the CPI coordinates as needed with the Licensing Specialist.

- The CPI is the lead during the investigation and all communication relating to the open investigation must be authorized and coordinated by the CPI, including discussions with the foster parent and alleged child victim.
 - When investigating the allegations involving foster parents, all parties must be sensitive to the fact that there may be other children placed in the home who may be traumatized by the unannounced arrival of a CPI, Case Manager, Licensing Specialist, or law enforcement.
 - The CPI notifies the Case Manager, CLS attorney, GAL, and alleged victim's birth parents (if rights remain intact) with pertinent information.
 - The time, place, and manner of home visit(s) depend upon a variety of factors so it is important for the Licensing Specialist to maintain consistent communication with CPI and be knowledgeable about their process.
 - During initial contact, the CPI must explain the investigative process to the foster parent. The foster parent has the right to ask questions and raise concerns and contact the CPI at any time.
 - Staffings must occur during this process according to policy and local protocol.
 - A follow-up staffing will occur if the investigation closure decision is not known at the time of the staffing.
 - Foster parents will be notified at the close of the investigation.
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The Licensing Specialist's Role during CPI Intake

A Licensing Specialist should prepare foster parents for potential allegations by understanding what to do if it happens and how to avoid it to the extent possible.

- Licensing Specialists should partner with the CPI who is investigating abuse in a foster home.
 - The CPI takes the lead when there is an abuse report. Going out together may 'soften the blow' since the family has relationship with the Licensing Specialist.
 - The CPI may contact the Licensing Specialist for information about the home by asking:
 - Who is in the home?
 - How many children are in the home and what is their relationship in relation to the foster parent?
 - What are the additional demographics?
 - Are there frequent visitors or supports that may act in a caregiver role that do not reside in the home?
 - There are tools available which help the Licensing Specialist gather information for assessment purposes and to help the team improve. These tools, which were covered previously, include:
 - *Case Manager's Review of the Foster Parent*
 - *Investigator Review of Foster Parent*
 - *Foster Parent Review of Investigator*
 - *Youth Exit*
 - The Licensing Specialist should participate in a staffing that determines the actions that may be requested of the foster parent.
 - If licensing violations are found which do not pose an immediate threat to the health, safety, or well-being of the child, the Licensing Specialist is responsible for writing a Corrective Action Plan (CAP) to correct the deficiencies. This plan should be written with the foster parent and approved by the agency.
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Child Protective Investigations Involving Foster Parents

Information Sheet

What is the goal of Florida's Child Protection System?

The goal of Florida's Child Protection system is to ensure that children are safe from abuse and neglect while doing everything we can to keep families together.

How do I know the person at my door is really a Child Protective Investigator?

The Child Protective Investigator (CPI) should present proper identification before entering your home. You may verify that the person is employed as a Child Protective Investigator by calling the CPI's local office or the statewide Florida Abuse Hotline Command Center's toll-free number at 1-800-96ABUSE (1-800-962-2873). The Child Protective Investigator and Supervisor's name and phone numbers are provided on the back of this information sheet. You are encouraged to contact the CPI or supervisor with any questions/concerns you may have during the investigation.

What is a Child Protective Investigation and how am I involved as a Foster Parent?

An investigation results when someone has reported a concern to the Florida Abuse Hotline Command Center claiming a child under your supervision has been abused or neglected. The incident resulting in the allegations of abuse or neglect may have occurred while the child was in the care of a biological parent, other caregiver, or while in your care. When such an allegation is received, state law requires that it be investigated by a Child Protective Investigator who will explain what the allegations are and your involvement in the investigation.

When allegations are reported against you or an adult member of your home, the CPI will advise you of the allegations and address them with you as state law requires. The CPI will talk to you and other individuals who may be associated with the child. You can help the CPI by being truthful and by providing information that is necessary to determine whether a concern exists that affects the safety and well being of the child in your care.

Note, state law specifically directs visits and interviews with the child, family, and caregivers to be unannounced whenever possible, which may result in your child being interviewed without you being present. The law also requires you to notify the CPI within two business days if you move or if your child's location or living arrangement changes.

You may video or audio tape your interview with the CPI, using your own equipment, if it is immediately available. An attorney may represent you at any point during the investigation. Even if you choose to delay your interview with the CPI in order to be represented by an attorney, the investigation will continue.

What are the possible results of the investigation?

When the allegations are not alleged against you or any adult member of your home, your involvement may be limited.

If allegations are alleged against you or an adult member of your home, it is possible that the investigation will reveal that there is no indication of child abuse or neglect and the investigation will be closed with no further action. The child protective investigation is required to be completed within 60 days, except for investigations involving a child death, missing child, and/or when law enforcement has an open criminal investigation. Investigations may be staffed by the

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CPI with licensing staff, case managers, law enforcement, Guardian ad Litem, Children's Legal Services, and any other parties with pertinent information relating to the investigation. The recommendations of the staffing will be forwarded to the supervising agency's licensing staff which may result in a corrective action plan, suspension or revocation of your foster parent license. If the CPI determines that it is in the best interest of the child's safety and well being, the child may be removed from your care.

If you have any questions, you may contact the CPI or CPI Supervisor below.

Child Protective Investigator: _____

Telephone Number: _____

CPI Supervisor: _____

Telephone Number: _____

Office Address: _____

Intake Number: _____

Florida State Foster/Adoptive Parent Association, Inc. Support Team (F.A.S.T.) is available to provide support to a foster parent when an allegation has been or might be brought against him or her. You may contact F.A.S.T. at 1-800-327-8119 or fast@floridafapa.org

Foster Care Referral

The most common types of licensing concerns include:

- Quality of care
- Foster parent not working in partnership
- Inappropriate methods of discipline

The Licensing Specialist receiving the foster care referral shall:

- Respond to the foster care referral and document any needed actions within forty-eight hours.
 - Prepare a written Corrective Action Plan to correct the deficiencies that are a result of a foster care referral. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.
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The Licensing Specialist's Role during Investigation (Assessment) or Referral

During the investigation or referral process, the Licensing Specialist/staff is responsible for:

Cooperating and Investigating:

- Investigating complaints against the foster parent that meet the criteria for acceptance of a report of abuse or neglect jointly with the Child Protective Investigator whenever possible.
- Working in cooperation with the lead agency and supervising agency to ensure a thorough investigation is conducted.
- Limiting the focus of the investigation or assessment to the violations of licensing standards.
- Completing all complaint investigations or foster care referrals within five working days of the receipt of the complaint unless otherwise authorized by the licensing authority.

Interviewing and Contacts:

- Thoroughly documenting all contacts.
- Interviewing the child or children listed as subjects of the referral and visiting the family foster home or emergency shelter home within twenty-four hours of receipt of the referral by the licensing unit unless a staffing is held with the Licensing Unit Supervisor and a determination is made (and documented in the licensing file) that a home visit is not necessary.
- Contacting the foster parent to discuss the referral within twenty-four hours of receipt of the referral if a home visit is not made.

Staffing:

- Participating in staffing's regarding complaints.

Assessing and Corrective Action:

- Completing the assessment of the referral within five working days of receipt of the referral.
- Documenting the results of the assessment and any necessary Corrective Action Plan in the licensing file with a copy forwarded to the licensing authority within seven working days of receipt of the referral.
- Developing and monitoring Corrective Action Plans in conjunction with the supervising agency. Corrective Action Plans must be in writing and identify specific dates by which corrective measures shall be completed. The written Corrective Action Plan shall also state that failure to comply with the corrective measures within the time frames identified may result in administrative actions including suspension, revocation, or denial of the license.
- Thoroughly documenting the complaint investigation or foster care referral assessment information in the licensing file. The supervising agency must give written notification to the foster parent and the department of the outcome of the investigation as it relates to the licensing violations, and, if appropriate a Corrective Action Plan.
- The Corrective Action Plan should also be recorded in FSFN and discussed in the Unified Home Study if the home remains licensed.

Activity A:
Referral or Abuse Report

Directions:

1. Review the scenarios to determine if the act should/would result in a referral or an abuse/neglect report.
2. Be prepared to discuss with the class.

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1. Not ensuring the child receives the proper medical care in a timely manner.

2. Unsafe conditions in the home.

3. Not allowing for visitation.

4. Not providing for the child's safety and well-being.

5. Cruel, severe, or unusual forms of discipline.

6. Corporal punishments.

7. Delegating discipline or permit punishment of a child by another child or by an adult not in a caregiver role.

8. Withholding meals, clothing, or shelter.

9. Ridiculing or punishing a child for bed-wetting or other lapses in toileting.

10. Mechanically restraining or locking a child in any enclosure, room, closet, bathroom or area of the house or premises, for any reason.

11. Threatening a child with removal from the home or with a report to authorities as consequences for unacceptable behavior.

12. Prohibiting visitation with family and significant others.

13. Withholding child's allowance.

Foster Allegation Support Team (FAST)

The purpose of FAST is to:

- Provide an immediate response as well as support to foster parents when an allegation has been, or might be, brought against them.
 - Be there when any foster parent asks for help or support.
 - Keep foster parents informed of the procedures and the processes a foster parent can expect during an investigation.
 - Work toward better investigations and more compassion, tolerance, and respect for foster parents, children, and families.
 - Maintain the confidentiality of the reports.
 - Offer support and help, which means listening to foster parents when they have a need to vent a sense of hurt, anger, and shock at what has happened to them.
 - Never allow themselves to get involved in name calling, accusations, or other counterproductive behaviors which may cause foster parents to stray.
 - Help foster parents learn the concept of "fair fighting", by treating the other side with absolute respect and insisting on the same.
 - Help foster parents gain an attitude of honesty and straightforward integrity which allows their point to be heard.
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Consequences of Abuse/Neglect Reports and Referrals

Impact of Allegations against Foster Parents

- **Trauma:** Many foster parents express shock and disbelief.
 - **Betrayal:** They feel their main source of support can no longer talk to them.
 - **Stigma:** Foster parents report feeling shame, humiliation, inadequacy, and a decline in self-esteem.
 - **Powerlessness:** The process can be lengthy and complex and foster parents often feel they have little information regarding the allegation.
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Allegation Prevention Strategies

All families who care for children with special needs face some risk, and every parent can take steps to keep situations from turning into allegations. The following strategies were developed by a foster/adoptive parent as a guide for other parents:

1. **Know your limits.** If you are not comfortable handling children with certain challenging backgrounds and behaviors, don't set yourself up by bringing such children into your home.
2. **Learn all you can about each child before placement.** You have a right to know about previous abuse and allegations. Ask: "Has this child been abused? In what way? Who were the perpetrators? Have there been any abuse allegations?" Example: Had the foster family whose 13-year-old girl charged the grandfather with abuse known about her abuse history, they would never have left the foster grandfather alone with her.
3. **Make sure that men and boys in your house are never alone with a girl who has been sexually abused.** Proactive precautions are very important in this situation, especially at the beginning of the placement. Talk with your partner and others in the household about this safety plan and stay proactive.
4. **Give each sexually abused child his/her own bedroom.** I know this is difficult, but why put another child in your home at risk? If a child's boundaries have been invaded, he/she needs to re-learn proper boundaries.
5. **Be crystal clear about rules for dress, privacy, touching, etc.** Caregivers must agree on house rules, boundaries, and consequences. Each child comes from a different culture of parenting, sexuality, sleeping habits, dress, touch, and more, and needs to learn what is appropriate.

6. **Never use physical discipline.** Corporal punishment is not allowed in foster care, but I know some folks think that once the kids are adopted, physical discipline is okay. Don't do it. Children with a history of physical, sexual, or emotional abuse often misinterpret physical discipline and an allegation is likely. Physical discipline can also undermine attachment.
7. **Avoid teasing, horseplay, wrestling, and suggestive language.** These are acts of intimacy and intimacy is just what abused children often resist. In addition, the child may get a different message than you intend during the close physical contact.
8. **Document sexual acting out in writing.** Send reports to the child's social worker and therapist. Then, if another incident comes to light, the worker and therapist can see that there might be a pattern to the child's acting out that perhaps relates to past experiences.
9. **Document behavior patterns.** When a child enters your home, use a calendar to record changes in the child's behavior, such as inappropriate words or actions during birth parent visits, the child's behavior following visits, the cause of scratches, bruises, or other injuries, and any patterns of behavior that seem to follow specific events or times of the year (like anniversaries of certain past events).
10. **Participate in a support group.** As foster and adoptive parents of children with special needs, we need to share the struggles and joys that are a part of our lives with those who can empathize and support us. We need folks who can laugh and cry with us and really understand foster and adoptive parents' journey.
11. **Reserve personal time to reduce stress.** Know what really pushes your buttons, and establish a calming plan. Post 20 calming tips on your refrigerator and model stress-reduction techniques for your children. Then, make plans for a weekly–yes, weekly–time away from the children. Take care of yourself; you are the child's greatest gift!

Activity B:
Foster Parent Perspective

Directions:

1. Based on listening to the speaker and class discussions, answer the questions from your own perspective:

What are your beliefs about the motives of most foster parents?

How do you feel about continuing to work with foster parents who have existing allegations?

How can you begin to discern when abuse might really exist versus an unfounded allegation?

Unit 7.2: Techniques to Manage Challenges

Learning Objectives:

1. Determine how to recognize when a foster parent's motivation is lacking or questionable and explain how to handle this.
2. Define and explain the purpose of a Corrective Action Plan.
3. List and explain each element of a Corrective Action Plan.
4. Write a Corrective Action Plan.
5. List possible concerns a foster parent might express and ways to address each type of concern.
6. List and describe each step required for license revocation.
7. List and explain the basic procedures of a Chapter 120 hearing pursuant to Florida Statutes.

Foster Parent Motivation

Corrective Action Plan

If licensing violations are found which do not pose an immediate threat to the health, safety, or welfare of the children, the Licensing Specialist must prepare a written Corrective Action Plan to correct the deficiencies found during an abuse/neglect investigation or foster care referral.

- The plan should be written with the foster parents.
 - The plan must be approved by DCF Regional Licensing as advised earlier.
 - The plan must include tasks designed to rectify the issues substantiated in the allegation.
 - If the tasks are not completed within a certain timeframe, the foster care license may be suspended, denied, or revoked.
 - Corrective Action Plans are not created for foster parents who have previously committed licensing violations and were unable to benefit from remedial efforts. In these cases, the agency may determine to suspend, deny, or revoke the foster care license.
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Foster Home Corrective Action Plan

Foster Home:

License Expiration date:

Child Placing Agency:

Region:

County:

Reasons Corrective Action Plan is Necessary:

Standards cited per Florida Administrative Code/Florida Statutes:

Date and manner in which foster parent was notified of violation by Child Placing Agency:

Date of Corrective Action Staffing/Consultation and names and titles of those in attendance:

Description of Corrective Actions that need to be taken:	Timeframe to complete Corrective Action

Person(s) responsible and requested supporting documentation:

By signing the Corrective Action Plan, I agree to all corrective actions as identified by the agreed upon due date. Failure to comply with the Corrective Action Plan within the identified time frame, may result in the suspension, denial or revocation of the license.

Signature of licensed out-of-home caregiver

Date

Signature of licensed out-of-home caregiver

Date

Signature of Child Placing Agency Representative

Date

Activity C: Developing a Corrective Action Plan

Directions:

1. Working in pairs, use your assigned scenario to complete the activity.
 2. Select one person to be the foster parent and the other to be the Licensing Specialist.
 3. Each pair must present a five minute role-play that demonstrates effective engagement techniques and partnership to address the identified concerns.
 4. Debrief the role plays.
 5. Following the role plays, spend an additional 15 minutes writing the Corrective Action Plan.
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1. Foster parent is using inappropriate discipline techniques because he/she feels the child's behavior is out of control. Foster parent yells at children and uses derogatory language to control behavior. Foster parent has been heard threatening the children with corporal punishment, but there is no evidence that parent has acted on these threats.
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2. Foster parent is engaging in actions to sabotage visitation between the child and birth parent by not having the child available for visits, demeaning the birth parent to the child, and canceling visits as a child's punishment for acting out behaviors.
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3. Foster parent's home is so cluttered and unclean it is verging on dangerous and hazardous to the health and safety of the children.
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Foster Home Corrective Action Plan

Foster Home:

License Expiration date:

Child Placing Agency:

Region:

County:

Reasons Corrective Action Plan is Necessary:

Standards cited per Florida Administrative Code/Florida Statutes:

Date and manner in which foster parent was notified of violation by Child Placing Agency:

Date of Corrective Action Staffing/Consultation and names and titles of those in attendance:

Description of Corrective Actions that need to be taken:	Timeframe to complete Corrective Action

Person(s) responsible and requested supporting documentation:

By signing the Corrective Action Plan, I agree to all corrective actions as identified by the agreed upon due date. Failure to comply with the Corrective Action Plan within the identified time frame, may result in the suspension, denial or revocation of the license.

Signature of licensed out-of-home caregiver

Date

Signature of licensed out-of-home caregiver

Date

Signature of Child Placing Agency Representative

Date

License Revocation

Problem Situations Leading to License Revocation

The three most common reasons for revocation are:

1. Verified findings resulting in harm or imminent harm (i.e., mentally, emotionally, or physically to the child).
 2. The foster home is not in compliance with licensing standards and the nature of the non-compliance and child's circumstances are concerning enough to warrant immediate administrative action.
 3. The foster parent has been offered a Corrective Action Plan, but has not improved.
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License Revocation: Notification

Written notification must be approved by the Department's legal counsel and sent through certified mail. This notification must include:

- Identification of the statutory and administrative code violations that were found.
 - The actions to be taken.
 - The foster parent's right to challenge the action through an administrative proceeding.
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License Revocation: Licensing File

The following must be documented in the licensing file and reviewed by the Department's legal counsel:

- All abuse reports and all reports of licensing violations and the outcome of the investigation(s)
 - List of all deficiencies or conditions, other than abuse or neglect of the children, which compromise the safety or well-being of the children
 - The length of time and frequency of the noncompliance with the licensing requirements or deficiencies in caring for children
 - The date of written notification to the licensee as to the deficiency and time given to the licensee to correct the deficiency
 - The Licensing Specialist's efforts to help the licensee to come into compliance
 - Barriers, if any, which prohibit the licensee from correcting the deficiencies
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License Revocation: Chapter 120 Hearings

A Chapter 120 administrative hearing provides the foster parent an opportunity to appeal the decision.

The Licensing Specialist's responsibility for the hearing includes:

- Informing foster parents of their rights to appeal and providing them with contact information for the appeals court
 - Writing a letter of recommendation for revocation
 - Ensuring notifications to all parties are sent on time
 - Ensuring documentation of administrative actions are documented in FSFN which includes all relevant and legally sufficient documentation to support revocation
 - Being prepared by general counsel and attending the hearing
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Activity D:
Endings and Beginnings

Directions:

1. Respond to the questions related to transitioning from the trainee role to the licensing specialist/trainer role.
 2. Be prepared to discuss as a group.
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1. What are things you anticipate about your new role that you are excited about?

2. What are things you anticipate about your new role that you are concerned about?

3. What are some things you will do to prepare for your first meetings with foster parents?

4. What impression do you want each foster parent you work with to have about you?

5. What will you do to ensure that occurs?

6. How will you handle problems that occur in your relationship with foster parents, colleagues and administrators?

7. What is your motivation for doing this work?

8. How will you doing your best work, benefit children directly?

9. Create a personal brand statement or motto that speaks to the professional you will exemplify.

10. When challenges occur, how will you take care of yourself?

11. What are some regular stress relievers that you can put in practice to assist you in maintaining a positive attitude and outlook?
