

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency
Family Licensing Division



Protection of Foster Children from Abuse

Foster parents are responsible for protecting the children in their care from abuse, neglect and other risks to the child's health or safety. In order to ensure this, the Child and Family Services Agency ("CFSA"):

- Requires foster parents to teach and guide the foster child using techniques that stress praise and encouragement. Foster parents are prohibited from using any form of corporal punishment. For further information, see "Use of Appropriate Discipline and Control by Foster Parents".
- Requires foster parents to report suspected child abuse or neglect to the CFSA HOTLINE @ (202-671-7233)
- Requires staff of the child placing agency under which a foster home operates to report suspected child abuse, neglect or a risk to the child's health or safety.
- Investigates all reports that a foster child may be abused or neglected, or may have their health or safety at risk.

Definitions of child abuse and neglect

"Child abuse" is the infliction of physical¹ or mental² injury upon a child, or the sexual abuse,³ exploitation, negligent treatment or maltreatment of a child by the child's parent, guardian or custodian. Child abuse does not include discipline that is reasonable in manner and moderate in degree and otherwise does not constitute cruelty. Child abuse includes, but is not limited to:

¹ Physical injury, that is bodily harm greater than transient pain or minor temporary marks

² Mental injury that is harm to a child's psychological or intellectual functioning. This harm may be exhibited by severe anxiety, depression, withdrawal, or outwardly aggressive behavior, combination of those behaviors, and which may be demonstrated by a change in behavior, emotional response, or cognition.

³ Sexual abuse, meaning:

- Engaging in, or attempting to engage in, a sexual act or sexual contact with a child;
- Causing or attempting to cause a child to engage in sexually explicit conduct; or
- Exposing a child to sexually explicit conduct, which is actual or simulated sexual act, sexual contact, bestiality, masturbation, or lascivious exhibition of the genitals, anus or pubic area;
- Burning, biting, or cutting a child;
- Striking a child with a closed fist;
- Inflicting injury to a child by shaking, kicking, or throwing the child;
- Non accidental injury to a child under the age of 18 months;
- Interfering with a child's breathing; and
- Threatening a child with a dangerous weapon or using such a weapon on a child;

Child neglect has occurred when a child's parent, guardian or custodian abandons the child, or fails to make reasonable efforts to prevent the child's abuse. Child neglect also occurs when:

- A child is without proper parental care or control, sustenance, education, or other care or control necessary for the child's physical, mental, or emotional health, and the deprivation is not due to parent or guardian or custodian's lack of financial means.
- A child's parent, guardian, or custodian is unable to discharge his or her responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental incapacity.
- A child's parent, guardian, or custodian refuses or is unable to assume responsibility for the child's care, control, or subsistence and the person or institution that is providing for the child states an intention to discontinue such care.
- A child is in imminent danger of being abused and another child living in the same household or under the care of the same parent, guardian, or custodian has been abused.
- A child receives negligent treatment or maltreatment from his or her parent, guardian, or custodian.
- A child has resided in the District for at least 10 calendar days following his/her birth, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child;
- A child is born addicted to or dependent on a controlled substance or has a significant presence of a controlled substance in his or her system at birth;
- There is a controlled substance in a child's body as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian, or custodian.
- A child is regularly exposed to illegal drug-related activity in the home.

Reporting abuse or neglect

District law requires certain persons to report to CFSA their belief that a child may be abused or neglected. The rules governing the licensing of foster parents require foster parents to make such reports. A report must be made as follows:

- The report must be made to the CFSA Hotline at (202) 671- SAFE (7233).
- The report must include the child's name, date of birth and address, as well as all the factors that have led to child's abuse or neglect. The report must also include that the child is in foster care, and the foster parents name, address and telephone number.
- If the foster parent is licensed through a child placing agency other than CFSA, the foster parent must also report the suspected abuse or neglect to that child placing agency.
- A child placing agency employee who receives information or makes a personal observation of suspected abuse or neglect in a foster home, or who has any other information indicating a suspected risk to a foster child's health or safety from a foster parent or in a foster home, must also report.

Investigation of Reports of Abuse, Neglect, or Other Risks to a Foster Child's Health or Safety

District law, including the foster home licensing rules, requires CFSA to investigate reports of suspected abuse or neglect, including suspected abuse or neglect in a foster home and any other information indicating a suspected risk to a foster child's health or safety from the foster parent or in the foster home.

The investigation will include interviewing the child, interviewing all other children in the care of the person who is responsible for the alleged abuse or neglect, or mistreatment, and interviewing the adults who were involved in the child's care. It will also include interviewing the foster parent and all other persons who either reside in the home, or who are a regular presence in the home.

In the course of the investigation, CFSA will take whatever steps are necessary to protect the children involved in the investigation. If the investigation discloses that a child has been abused, or is neglected or is at risk of abuse or neglect, or the child's health or safety are at risk, CFSA's actions may include removing the children from the foster home, and suspending or revoking the foster home license. In addition:

- Additional foster children may not be placed in the foster home until the investigation is completed and CFSA determines it will continue to license the home.
- If any foster child remains in the foster home, the CFSA or the child placing agency under which a foster home operates must visit the foster home at least once a week as long as any foster child remains in the home and until a decision is made concerning the continued use of the home.
- CFSA must discuss its findings from the investigation with the foster parent.

Within five (5) business days after completion of the investigation, CFSA must make a written decision concerning the continued use of the foster home. CFSA must send written notice of the outcome of the investigation to all parties related to the case (foster parent (s), attorneys, social worker (s)).

Child and Family Services Agency Office of Licensing and Monitoring staff, as well as the child's social worker, are available to provide additional guidance concerning the protection of foster children from abuse and neglect and other risks to a foster child's health or safety.

I have read and understand the document "Protection of Foster Children from Abuse, Neglect and Other Risks to Health or Safety," and agree to abide by it.

Applicant signature

Date

Applicant signature

Date

Applicant name printed

Applicant name printed