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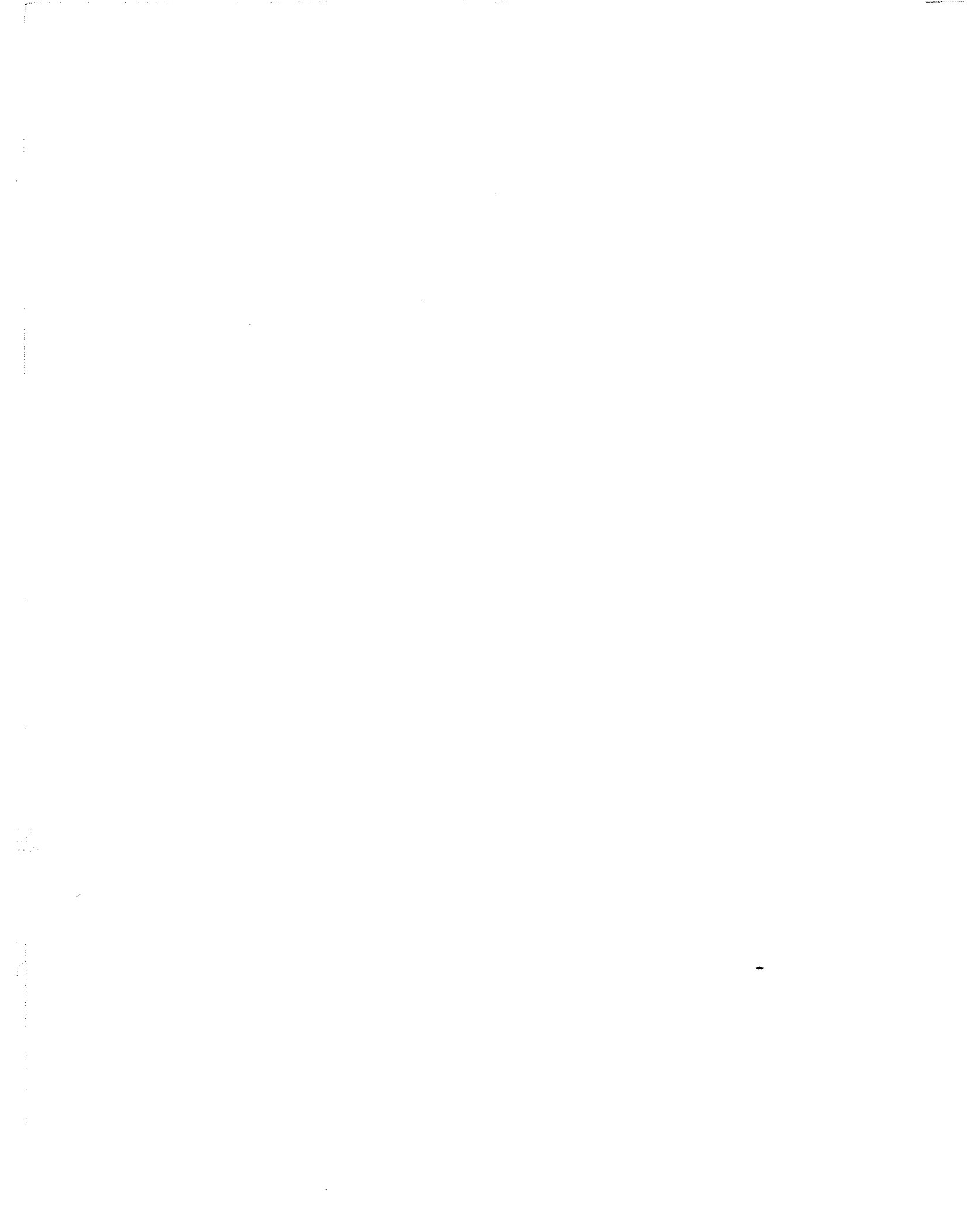
FOSTER HOME CHILD PROTECTION



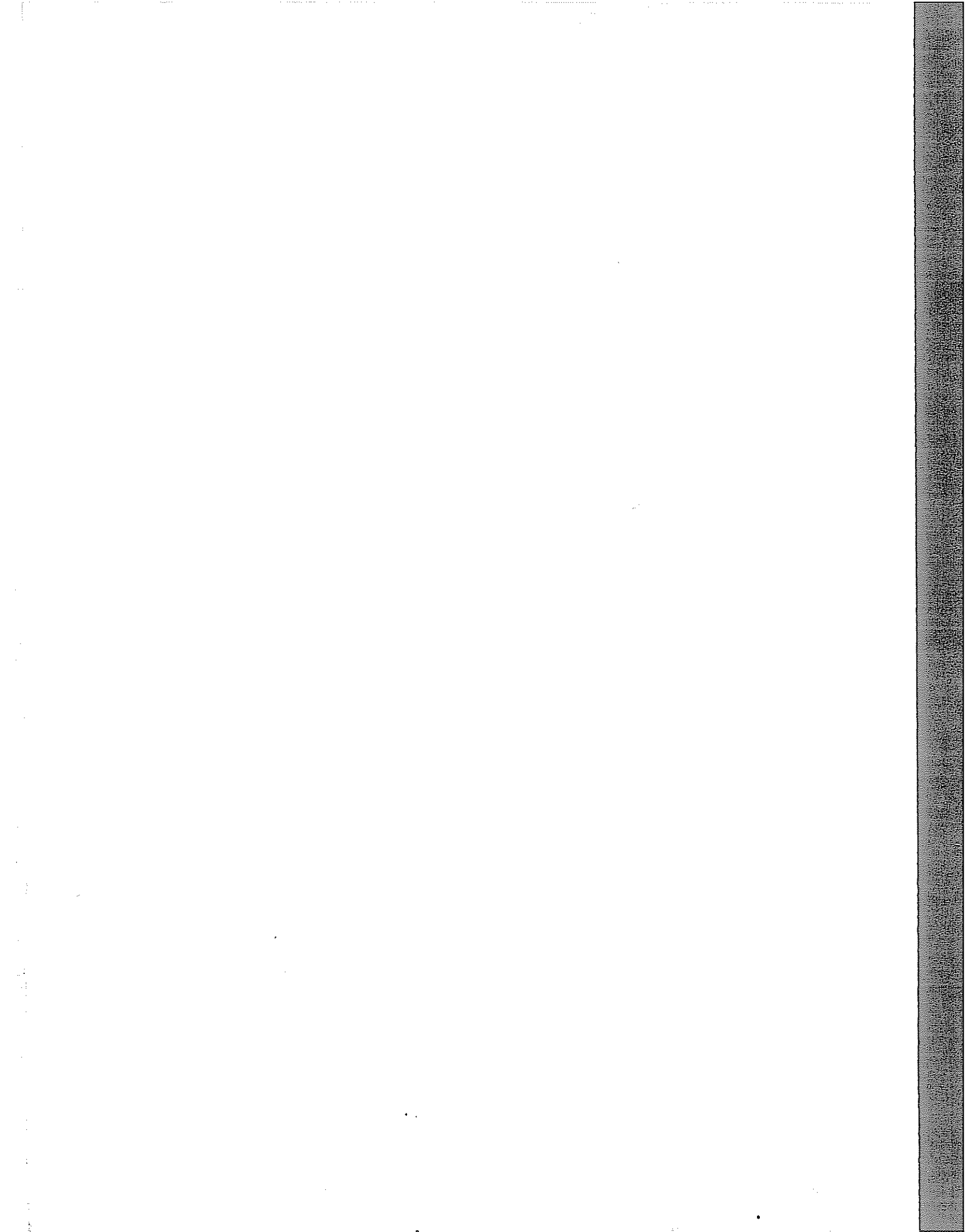
A SPECIAL SERVICES FOR CHILDREN STUDY

BY
THE VERA INSTITUTE OF JUSTICE
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THE CITY OF NEW YORK/HUMAN RESOURCES ADMINISTRATION







FOSTER HOME CHILD PROTECTION STUDY

A Report to Special Services for Children
New York City Human Resources Administration

Vera Institute of Justice
30 East 39th Street
New York, New York 10016

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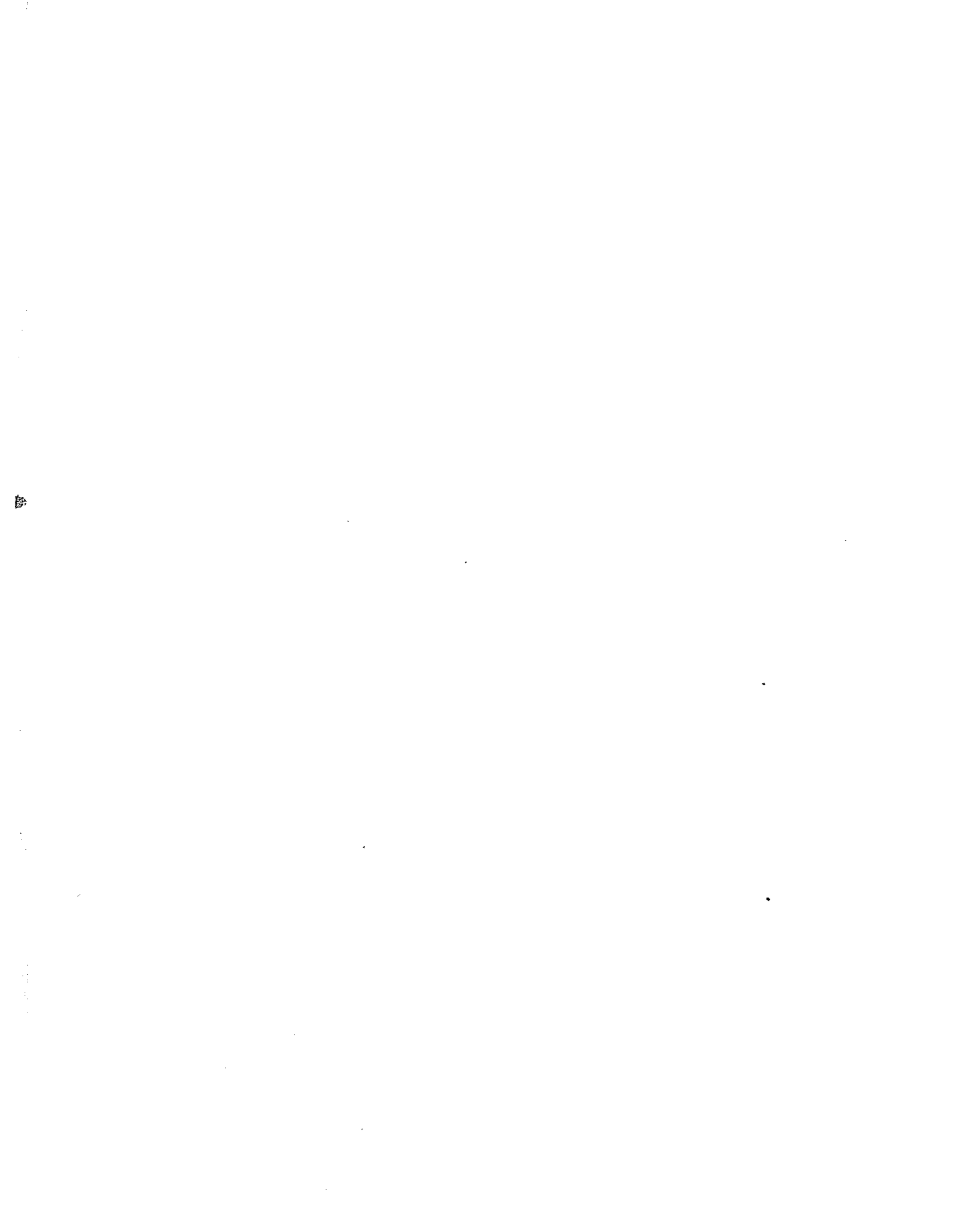
A planning committee was formed prior to the start of this research for the Foster Home Child Protection Study. Planning committee members provided extremely valuable support, guidance, and advice during all phases of the research. Committee members were James Campbell, Executive Director of Leake and Watts Children's Home; Janet Bajan, Associate for Public Policy at New York State Council of Voluntary Child Care Agencies; Margo Magid, Director of Program Development, New York City Human Resources Administration; Richard Perlmutter, Special Assistant to the Assistant Commissioner, Special Services for Children; Pauline Phillips, Director of the Confidential Investigation Unit, Special Services for Children; and Merrith Hockmeyer, Office of Program Planning, Special Services for Children.

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Planning and implementing of the Foster Home Child Protection Study was a joint effort of Vera project staff: Kathy Acey, Selma Marks, and myself. Kathy Acey and Selma Marks had primary responsibility for data collection, including case record reading and interviews; they also contributed to the interpretation of project findings, the development of recommendations, and preparation of the final report. As a summer intern, Graciela Ramos helped with data collection and conducted background research on foster parent training.

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Frank Miller
Project Director



EXECUTIVE SUMMARY

A. Foster Home Child Protection Study

Foster family care is a necessary and important social service for children whose parents are unable or unwilling to provide minimally adequate care. For a child endangered by abusive or neglectful parents, placement in a foster home can offer a temporary, nurturing environment while help is provided to reunite the separated family or, if necessary, while an alternative permanent placement is arranged for the child. Unfortunately, some children suffer from abuse or neglect in foster homes.

This report presents the results of a study of the problem of abuse and maltreatment of New York City children placed in foster homes. In an effort to better understand this problem, Special Services for Children, in the New York City Human Resources Administration, commissioned the Vera Institute to conduct a research project — The Foster Home Child Protection Study. The principal data collection effort for this study was a record survey of substantiated abuse and maltreatment cases concerning New York City children placed in foster homes that were investigated in 1979. Examination of records maintained by SSC's Confidential Investigation Unit (CIU) yielded a sample of 73 cases involving 121 children identified as victims, who had been placed in the care of 26 voluntary and public agencies. Foster parents were cited as perpetrators in 68 of the cases and natural parents in five. Data were collected for this CIU Survey from CIU investigation records and from agency records on the victims and on the foster parents cited as perpetrators.

The CIU Survey was supplemented by an interview survey of a small randomly selected sample of foster parents, foster children, and caseworkers in three agencies. In addition, data on foster parent training were gathered from a questionnaire mailed to agencies that provide foster family care for New York City children.

B. Summary of Findings

1. Nature of Mistreatment

a. Physical Punishment

The cases in the CIU Survey present a diverse range of child mistreatment. Physical punishment constituted, or was a component of, this mistreatment in nearly half the cases (46%) in which foster parents were identified as perpetrators. In 25 of these 31 cases, the records indicated that foster parents used an object to punish their children on one or more occasions: belts, switches, and electric cords were used most frequently. Injuries in these

cases tended to be relatively minor: mostly involving lacerations, bruises, or welts. In one case, however, a foster child was beaten to death by his foster father; and in a few of the several cases in which children suffered fractures, the records reported an investigator's suspicion of physical punishment, which could not be substantiated. The use of physical punishment appeared to be an unusual, explosive incident in some of these cases but a part of a persistent pattern of discipline in others.

The interview survey suggested that physical punishment of foster children may be widespread, despite its prohibition by New York State regulations.* Twenty of 41 interviewed foster mothers (49%) reported that on occasion they spank or hit their foster children; in 27 percent of the sample of foster homes, foster parents have used an object to discipline their foster children, according to statements by foster parents and their foster children. If physical punishment with an object is as widespread in foster family care as the interviews suggest, then many foster children may be at risk of physical abuse.

b. Lack of Adequate Supervision

Lack of supervision was the most common case finding, which applied to 35 of the 73 cases in the CIU Survey (48%). These cases displayed a considerable diversity of mistreatment and also varied in persistence from isolated failures to provide adequate supervision to leaving foster children almost totally unsupervised or inadequately supervised for extended periods of time. A common pattern in several of these cases was that supervision and care of younger foster children had been delegated by working foster parents to adolescent children (natural or foster).

2. Problems in Agency Performance

Examination of the 73 cases in the CIU Survey disclosed a variety of problems in agency performance that may have contributed to, or prolonged, the mistreatment suffered by foster children. These deficiencies, which are detailed in the report, included gaps in homefinding, inappropriate matching of foster children and foster parents, and inadequate monitoring of foster homes.

3. Quantitative Findings

The major quantitative findings of the CIU Survey are summarized below.

a. Victims

° Of the 121 foster children who were victims of abuse or maltreatment, 62 were female and 59 male. The age of these children at the time of the investigation ranged from six weeks to 18 years, with a mean of nine years.

* 10 NYCRR 441.9.

° Lacerations, bruises, and welts were the most common injuries suffered by the victims. Fifteen children were taken to a hospital after the occurrence of the abuse or maltreatment incident. (One child was dead on arrival at the hospital.) Eleven of the children taken to a hospital for medical treatment were under three years of age.

° The victims had spent a mean of 2.8 years in the current placement at the time of the investigation, and they had been in foster care for a mean of 4.4 years.

° Seventy-two percent of the victims had been in one or two foster placements (including the one in which the mistreatment occurred), and 28 percent had been in three or more. These victims seem to have experienced a degree of instability in placements greater than generally experienced by children placed in foster homes. A recent study of New York City children placed in foster homes showed that only 13 percent had been in three or more placements (Fanshel, 1979).

° A higher proportion of the victims were placed in foster care for reasons of abuse and neglect. Seventeen percent of the victims were placed in foster care because of abuse, in comparison with five percent of all foster children; and 34 percent were originally placed because of neglect in comparison with 18 percent of all foster children (OWIS, 1979).

b. Perpetrators

° Of the 82 perpetrators, 59 were foster mothers, 15 were foster fathers, five were natural parents, and three were other adults.

° Thirty-four percent of the 68 foster homes in which foster parents were cited as perpetrators were single-parent homes, which is substantially greater than the proportion of single-parent foster homes generally -- 18% as reported in a recent study (Fanshel, 1979).

° The foster fathers in these 68 homes had a mean age of 45 years and the foster mothers a mean age of 41 years. They had been foster parents for a mean of five years at the time of the investigation.

c. Results of Investigation

° In 78 percent of the cases in which foster parents were cited as perpetrators, foster children had been removed from the home at the time of the investigation or removal was subsequently recommended by the CIU.

° In 69 percent of these cases the foster home was closed by the agency at the time of the investigation or closing was recommended by the CIU.

d. Agency Monitoring of Foster Homes

° Of the 54 foster homes in which foster parents had been cited as perpetrators and the victims had been placed there for three months or more, 14 homes (26%) had received no home visits by the caseworker during the three months preceding the investigation, according to agency case records. These 14 homes were under the jurisdiction of 13 agencies.

° For nine of these 54 foster homes (17%), under the jurisdiction of six agencies, the agency records contained no evidence of either home visits or in-agency contacts between the caseworker and foster parents or foster children during the three months prior to the investigation.

C. Summary of Recommendations

Summarized below are recommendations aimed at reducing the incidence of the mistreatment of children placed in foster homes and improving their protection and care. The recommendations are based on research findings, reflection on the problem of foster child mistreatment, discussion with researchers and practitioners in the field of foster care, and examination of relevant literature on foster care and child abuse and neglect. Recommendations have not been developed with respect to home-finding and the investigative process since these areas are being studied in depth by a joint effort of SSC and the Office of the City Council President (homefinding), and the Department of Investigation (investigative process).

1. Foster Parent Training

- ° Foster parent training should be extended, improved, and institutionalized as a mandatory feature of foster family care.
- ° Regulations of the New York State Department of Social Services (NYS DSS) should require a minimum number of hours of pre-service foster parent training as a condition of foster home certification. (The overwhelming majority of agencies responding to a questionnaire on foster parent training -- 40 of 42 -- indicated that training should be mandatory for new foster parents.) The regulations should specify required topics of training: including discipline, supervision of children, and regulations concerning abuse and maltreatment of foster children.
- ° NYS DSS regulations should require each child care agency to submit a plan for pre-service foster parent training to the local Department of Social Services.
- ° The provision of mandatory pre-service training should be monitored in the context of SSC's foster care assessment process.

- Agencies should expand in-service training of foster parents; consideration should be given to requiring a minimum program of in-service training for all foster parents who wish to receive new placements of foster children.
 - Priority should be placed on developing training programs designed to increase foster parents' understanding of children's behavior and to provide guidance on the use of appropriate techniques of behavior management.
2. Matching
- Agencies should review their policies and practices concerning the selection of foster homes for particular children (matching) and take steps to improve practice where deficiencies are observed.
 - The process of orientation and training for new foster parents should be directed to help them determine the types of children in whom they are interested and for whom they are best able to care.
 - Agency matching decisions should respect the preferences of foster parents.
 - The annual foster home recertification process should involve an assessment of the foster family's capability to provide adequate care for various types of children and this should be clearly documented in the case records.
 - SSC should develop guidelines for matching decisions to be disseminated to agencies and used as a standard for agency monitoring in the context of the foster care assessment process.
3. Enforcement of the Ban on Corporal Punishment
- A concerted effort by all persons responsible for the care of foster children is needed to eliminate the physical punishment of foster children.
 - Formal corrective action should be taken in every case in which a foster parent has been found to have used an object to administer physical punishment to a foster child. The following corrective action is recommended. Foster parents found upon agency investigation to have used an object as an instrument of punishment of a foster child should be decertified unless closing the home, with consequent removal of the foster children, would be detri-

mental to the welfare of the foster children placed in that home. In the latter case, the foster home should be disqualified from receiving any additional foster children unless the foster parents participate in training on discipline and commit themselves to refraining from the use of physical punishment in the future.

4. Monitoring of Foster Homes

- NYS DSS regulations should require that agency case-workers make a minimum of one foster home visit every two months for each foster home; during the first year of placement, a minimum of one home visit per month should be required.
- NYS DSS regulations or SSC policy should require that each case record contain a log of caseworker visits, which indicates the date and location of visits and the persons present at the visit.
- SSC's foster care assessment system should monitor the frequency and documentation of home visiting.
- The NYS DSS regulation prohibiting employment by foster mothers outside the home should be amended to permit employment provided that adequate substitute child care has been arranged and it has been approved by the agency.
- NYS DSS regulations should require foster parents to keep their agency informed concerning employment status and hours of work.
- SSC should sponsor the development of a manual on the protection of foster children for use in training of agency staff and as a reference work.

I. INTRODUCTION

Foster family care is a necessary and important social service for children whose parents are unable or unwilling to provide minimally adequate care. For a child endangered by abusive or neglectful parents, placement in a foster home can offer a temporary, nurturing environment while help is provided to reunite the separated family or, if necessary, while an alternative permanent placement is arranged for the child. Unfortunately, some children suffer from abuse or neglect in foster homes.

In an effort to better understand this problem, Special Services for Children, the office of the New York City Human Resources Administration responsible for child protective services and foster care, asked the Vera Institute to undertake a study of the abuse and maltreatment of New York City children placed in foster homes. The results of this research project and recommendations for improving the protection of New York City foster children are presented here.

The Foster Home Child Protection Study is the first research effort devoted to understanding the abuse and neglect of New York City children placed in foster homes. A review of the literature and discussion with experts on child welfare suggest that this may be the first study of the problem in the United States.* Because this study represents a first systematic look at a complex social problem, it is necessarily exploratory. In order to document the nature of the problem, emphasis has been placed on case descriptions and presentation of descriptive, aggregate data concerning investigated and substantiated cases of abuse and maltreatment of children placed in foster homes.

The Foster Home Child Protection Study was planned as a research effort that could assist administrators and planners in responding to a serious problem of child welfare. Accordingly, considerable attention has been devoted to developing recommendations aimed at reducing the incidence of the mistreatment of children placed in foster homes and improving their protection and care. (See Appendix A for a brief description of foster family care in New York City).

A. Method

Data collection for the Foster Home Child Protection Study involved three efforts. The principal effort was a record survey of substantiated abuse and maltreatment cases concerning children

* A literature search with the Clearinghouse on Child Abuse and Neglect Information, sponsored by the National Center on Child Abuse and Neglect, did not list any studies of abuse or neglect of children in foster homes. No studies of this problem were cited in a recent annotated bibliography of abuse and neglect literature containing over 2,000 entries (Kalisch, 1978).

placed in foster homes. This was supplemented by an interview survey of a small, randomly selected sample of foster parents, foster children, and caseworkers in three agencies; and a questionnaire completed by agency staff concerning foster parent training in New York City. These data collection efforts are briefly described below.

1. CIU Survey

The major source of data for this study was a survey of indicated abuse and maltreatment cases investigated by SSC's Confidential Investigation Unit in 1979.* (See Appendix B for the legal definitions of "abuse" and "maltreatment" and Appendix C for a description of the investigative process.) This CIU Survey consisted of two parts. First, data were extracted from records maintained by the CIU. Seventy-three cases were read, which involved 121 victims, 82 perpetrators,** and 26 voluntary and public agencies. (Project staff read all abuse or maltreatment cases involving children placed in foster homes that were investigated in 1979, determined to be indicated, and completed at the time of case reading — March 1980.) Second, supplementary data were collected from agency case records for the victims and from foster parent records for the foster homes in which these children were placed at the time of the investigation.***

Using pre-coded instruments****, researchers gathered case record data in the following areas: (1) victim characteristics (demographic data, placement history, special problems — physical or mental handicaps, behavioral or emotional difficulties); (2) characteristics of foster families in which a foster parent was cited as perpetrator (demographic data, foster care experience, evidence of stress factors -- e.g. financial difficulties,

* Cases are labelled "indicated" when the investigation determines that there is some "credible evidence" to support the allegation of abuse or maltreatment (Social Services Law §412).

** "Perpetrator" is the term used by the New York State Department of Social Services to refer to "the individual, or individuals, who committed and/or allowed to be committed the act of abuse or maltreatment" (NYS DSS, 1975).

*** Agency records were read for 68 foster homes and 112 victims in 25 agencies. The missing records were unavailable at the time project staff scheduled case reading. One case, in the Westchester Department of Social Services, was not scheduled for agency record review.

**** The instruments are available upon request.

unemployment, marital conflict); (3) agency monitoring of foster homes in which abuse or maltreatment occurred; (4) findings of the investigation; and (5) CIU recommendations. Based on material in the records, the researchers recorded qualitative information for each case concerning: (1) the type of mistreatment; (2) circumstances surrounding the incident; (3) child rearing practices of foster parents; (4) adjustment of the victims in the foster homes before the incident; and (5) agency performance (selection of foster homes, monitoring, child protective action). The results of this case record research are presented in chapters II - IV.

The design of the case record research did not include a control group of foster homes that were not involved in indicated cases of abuse or maltreatment. In order to provide a comparative focus, project findings are compared with available data on the population of New York City children in foster home care (CWIS, 1979) and the results of recent studies on large samples of New York City children placed in foster homes (principally Fanshel, 1979).

2. Interview Survey

A small-scale interview survey was conducted to provide project staff with first-hand insight into foster home care as perceived and communicated by foster parents, foster children, and agency caseworkers; and to supplement data on some of the issues raised by the case record research. Foster homes in three agencies (two voluntary and one public) were randomly selected and separate interviews were arranged with the foster mother,* one foster child (if aged seven years or older), and the caseworker responsible for the home. A total of 41 foster mothers, 29 foster children, and 12 caseworkers were interviewed. (See Appendix E for a description of the method and scope of the interview survey.)

Findings from the interview survey are discussed at various points in the text of the report. Quantitative data on demographic characteristics of sample foster homes and reported disciplinary practices are detailed in Appendix E. A more comprehensive report on the full scope of the interview survey is forthcoming. Areas to be discussed include: the relationships between foster parents, foster children and agencies; role perceptions of self and other system participants; support and service systems; training; and parental visiting.

* Foster fathers were not interviewed because it was assumed, based on a review of the literature, that foster mothers would constitute the primary caretakers in foster families and would have more contact with agencies than foster fathers.

The interview survey was not intended to generate data representative of participants in the New York City system of foster home care. A representative sample would have required interviews with foster parents and foster children in approximately 400 homes.* It was thought that the results of such an extensive interview survey would not justify the necessary expenditure. Accordingly, we chose to undertake a small-scale interview survey, from which suggestive data concerning the quality of foster care might be derived. Interpretations of interview data must be made with this limitation in mind.

3. Questionnaire on Foster Parent Training

In order to explore the nature and extent of foster parent training in New York City, an area of practice considered by project staff as important for preventing abuse and neglect of foster children, a questionnaire was sent to 46 agencies that provide foster family care to New York City children. Responses were obtained from 42 agencies. Some findings are presented in Chapter V in connection with recommendations concerning foster parent training; the full results are described in Appendix F.

B. Plan of the Report

Chapter II describes the range of cases in the CIU Survey. The cases of abuse and maltreatment are classified into several types and case material is presented to illustrate the variety of mistreatment that occurred in the survey cases. Chapter III summarizes quantitative data concerning the 73 cases in the CIU Survey. It covers the findings and results of the investigative process, characteristics of victims and perpetrators, and agency monitoring of the foster homes involved in survey cases. Chapter IV discusses project findings that are suggestive concerning factors associated with the abuse and neglect of foster children. Chapter V is devoted to recommendations aimed at preventing the mistreatment of children placed in foster homes and improving their protection and care. Recommendations in the following areas are emphasized: foster parent training, matching of foster children and foster parents, enforcement of the ban on corporal punishment of foster children, and monitoring by agency caseworkers of foster homes. Chapter VI presents the conclusion of the report.

* According to Child Welfare Information Services (CWIS) data, as of December 31, 1979, 16,600 New York City foster children were placed in foster homes (14,250) or in a variety of adoptive or preadoptive homes (2,350). If the mean number of children in New York City foster homes is 2.0 (Fanshel, 1979, p.15), then there are approximately 8,000 foster homes for New York City children. A sample of 400 foster homes represents approximately five percent of all New York City foster homes, and would be sufficiently large for purposes of crosstabulations and chi-square tests.

II. THE NATURE OF CHILD ABUSE AND MALTREATMENT IN FOSTER HOME CARE

The 73 cases in the CIU Survey range from isolated acts of inadequate supervision of foster children without serious injury to severe beatings with objects inflicted by foster parents. This chapter describes the range of mistreatment of children placed in foster homes displayed by the CIU Survey cases and highlights some of the institutional practices that seem to contribute to mistreatment.

A. Case Findings

The CIU records contain both general and specific case findings. General findings consist of "indicated abuse" or "indicated maltreatment," as defined according to the Family Court Act §1012 (See Appendix B). Specific findings consist of a list of categories drawn from the reporting form of the New York State Department of Social Services (DSS Form-2221). These include: DCA/fatality; fractures; subdural hematoma, internal injuries; lacerations, bruises, welts; burns, scalding; excessive corporal punishment; child's drug/alcohol use; drug withdrawal; lack of medical care; malnutrition, failure to thrive; sexual abuse; educational neglect; emotional neglect; lack of food, clothing, shelter; lack of supervision; and abandonment. (See Appendix D for the definition of these categories.) Although all the cases in the CIU Survey were indicated cases of abuse or maltreatment, less than one half had general findings noted in the case summaries: indicated abuse was found in 20 cases (27%) and indicated maltreatment in 14 cases (19%).*

The distribution of specific findings is illustrated in Table I.** Lack of supervision was cited most frequently (43%), followed by lacerations, bruises, and welts (29%) and excessive corporal punishment (19%). One case involved the death of a child, which resulted from physical abuse by a foster father.

* Since many cases lacked a general finding, the distinction between abuse and maltreatment is not used in the statistical analysis of the sample cases.

** Eight cases had no specific findings noted in the case summary; all of these had a general finding of indicated abuse.

Table 1

Specific Case Findings*

	<u>N</u>	<u>% of Total Cases (N=73)</u>
Lack of Supervision	35	48
Lacerations, bruises, welts	21	29
Excessive corporal punishment	14	19
Lack of food, clothing, shelter	7	10
Lack of medical care	5	7
Emotional neglect	4	6
Fractures	4	6
Burns, scalding	3	4
Sexual abuse	3	4
Fatality	1	1
Subdural hematoma	1	1
Malnutrition	1	1
Other	6	8

* Individual cases may have more than one finding.

B. Physical Punishment

1. CIU Survey

Physical punishment of foster children by foster parents constituted, or was a component of, the mistreatment in 31 of the 68 CIU cases (46%) in which foster parents were identified as perpetrators.* Foster parents hit their foster children with objects in 25 of these cases. The most common instruments of punishment were, respectively, belts, switches and electric cords. Other objects used included dog leash, paddle, hair brush, plastic baseball bat, breadboard, and broomstick.

The injuries caused by these cases of physical punishment ranged in severity from minor lacerations to extensive bruises and welts, deep wounds, and, in one case, the death of a foster child. In several sample cases young children had suffered suspicious injuries, such as fractures, which did not correspond with the explanations offered by foster parents according to the opinions of doctors who examined the injured children. Some of these injuries may have resulted from physical punishment.

These 31 cases also differed with respect to the persistence of physical punishment as a method of discipline. In some cases, the physical punishment appeared to represent an unusual, explosive use of force by a foster parent, prompted by the misbehavior or provocation of a foster child. For example, a foster father beat his foster son with a belt immediately after the child's school bus driver came to the foster home to report that the boy had been fighting on the bus and would not listen when told to stop. This beating, which caused welts, appeared to be an isolated incident: the record indicated that the boy had been hit on one other occasion by his foster father without injury and spanked a few times by his foster mother. After the incident, the foster father was described in the record as very remorseful.**

In other cases, by contrast, the physical punishment revealed in the investigation was found to be part of a pattern of discipline. Some foster parents openly stated to CIU investigators that they regularly used a belt or switch to discipline

* These cases were identified by a review of case descriptions prepared by project staff based on information in CIU records. Cases involving physical punishment were labelled in a variety of ways in CIU case summaries: "excessive corporal punishment;" "lacerations, bruises, and welts;" and "abuse" (without any specific finding).

** The victim was immediately removed from the foster home when the agency caseworker learned of the incident, but was returned after a short period of time.

their foster children. One foster mother investigated for alleged abuse, who admitted beating her two foster sons, told the investigator, "My husband and I would never have become foster parents if we knew we couldn't whip the children." The investigator described as "hideous" the series of bruises, lacerations, and scars found on the legs, thighs, and buttocks of one of these boys.

In another case, the foster mother reported to the investigator that, when necessary, she beats her natural and foster children with an electric cord. This woman indicated that she was beaten by her own mother with a switch or a cord and that she regards this as an acceptable method to get children to conform to rules of behavior and to command respect.

The situations that precipitated physical punishment could be determined from the records in 18 of the 31 cases. Foster children received physical punishment for a variety of behavior including the following: being argumentative, being disobedient, acting up on the school bus, lying, fighting with siblings, staying out all night, bed-wetting, failure to control bowels, hiding poor report card, mistakes in homework, verbal abuse of foster parent, being found undressed (a six year old) in her bedroom with the neighbor's son, and for giving the baby in the home a bottle that had soap in it (by accident).

2. Interview Survey

Data from project interviews with randomly selected foster parents in three agencies suggest that physical punishment, although usually mild, may be widespread among foster parents. When questioned regarding methods of discipline, nearly half (49%) of the 41 interviewed foster mothers reported spanking or hitting their foster children as a last resort when other disciplinary techniques have not been effective or in response to a particularly serious violation.* Six of the foster mothers (15%) reported using an object for punishment. The proportion of foster mothers in the interview sample who actually hit their children with an object is probably higher, since two of their foster children, when interviewed, stated that they had been hit with an object when their mothers had not reported the use of physical punishment; and three foster children stated that they had been hit with an object when their foster mother reported only the use of spanking. If the responses of these children are added to those of their foster mothers, the proportion of foster parents in the interview survey who have hit their children with an object rises to 27 percent.

* Although foster mothers were not asked to report the frequency of punishment, it appeared from the interviews that physical punishment was used infrequently by these foster mothers.

3. Discussion

In view of the typical child-rearing practices of American families, it is not surprising that many foster parents resort to physical punishment.* Nevertheless, the use of corporal punishment for the discipline of foster children is prohibited by regulations of the New York State Department of Social Services (18 NYCRR 441.9).** This prohibition of corporal punishment in the face of a general social tolerance of the practice (and approval by many parents) causes a tension in the care of foster children. Child welfare standards favor a normal family environment for foster children and oppose differential treatment of natural and foster children living in the same foster home. Foster parents who physically punish their natural children must either discipline their foster children differently or violate the regulations. Project interviews indicate that some foster parents are keenly aware of this dilemma. One interviewed foster mother stated, "I know that I am not supposed to hit her but I treat her like I treat my own children whom I spank when they do not listen."

The use of corporal punishment that does not result in physical injury of children is not generally considered to constitute child abuse or maltreatment. A number of researchers have argued, however, that our society's toleration of physical punishment as a method of child rearing contributes to the incidence of child abuse. Condoning or approving physical punishment raises the risk that some children will be injured severely as a result of parental discipline. Giovannoni and Bécerra (1979) in their recent study of child abuse observe:

The public view seems to be: "It's all right to hit your child, but not too hard; in fact it's all right to hurt your child -- but not too badly." This issue needs to be faced more squarely than it is at present. As long as we as a society condone corporal punishment of children; we must admit that we are also willing to place some children in danger of being hurt badly.

* In an extensive household survey concerning family violence, Gelles (1978) found that 41% of the interviewed parents (N = 1,146) reported that they had pushed, grabbed, or shoved a child during the past year (27% more than once); 58% reported slapping or spanking a child (44% more than once); and 13% reported hitting a child "with something" (10% more than once). When asked whether they had ever resorted to these methods of physical punishment, the parents answering affirmatively increased to 46% for pushing, grabbing, or shoving; 71% for slapping or spanking, and 20% for hitting with something.

** All subsequent references to regulations are from 18 NYCRR; therefore, only the section numbers will be cited.

Child abuse education programs would do well to emphasize not so much the bizarre, extreme situations but the borderline types of mistreatment, the bruises and welts that come from "normal" hitting, the threshold of child abuse. The ambiguity that surrounds the demarcation of that threshold increases the risk generated by the social acceptance of physical punishment. In a very real sense, all parents are at risk of at some time crossing the threshold into "child abuse." (p.243)

Two cases in the CIU sample provide concrete support for this position. A foster mother responded to the misbehavior of her adolescent foster child by attempting to hit her on the buttocks with a breadboard. The child placed her hand in the way of the blow and received an injury that required medical attention. In a second case, a foster mother apparently intended to beat her disobedient foster son with a belt on the buttocks, but he turned around and was struck in the face, causing bruises. Foster parents who resort to physical punishment not only risk the possibility of hitting their foster child in a more sensitive area than intended, but also may strike with greater force than anticipated or lose control, thus leading to serious injury.

C. Sexual Abuse

Sexual abuse was a finding in three of the 73 cases in the CIU Survey. These cases do not form a clear pattern. In one case an adolescent foster child accused her foster father of requesting sexual contact. In a second case, a ten year old boy, the natural son of the foster family, was found to have forced his four year old foster sister to engage in oral sexual contact on several occasions. This boy previously had been forced to have sexual contact with his 13 year old foster sister, who had been removed from the foster home for that reason. In the third case, an adolescent foster child alleged that she and her sister had been forced repeatedly for several years to undress and have oral sexual contact with their foster father. The girl who made the allegation had been removed from this foster home several months prior to the investigation. The allegation was denied both by the foster father and the younger foster child who had remained in the home. (She was removed as a result of the investigation.)

D. Lack of Supervision

The most common specific finding recorded by CIU investigators for the survey cases was lack of supervision. This finding was applied to 35 of the 73 cases in the CIU Survey

(48%) and 32 of the 63 cases involving foster parents as perpetrators (47%).# These cases compose a rather diverse group. The majority can be classified into five categories described below.

1. In several cases lack of supervision was the finding when investigators appeared to suspect physical abuse of a foster child but were unable to substantiate it.

2. The lack of supervision in other cases represented what seemed, according to the records, to be an isolated or unusual failure in child care. For example, a foster mother left her two foster children, aged three and four, locked in her car for 45 minutes while she went to pay her overdue telephone bill. (Due to long lines, she returned without having paid her bill.) The children were discovered by a police officer and removed to the precinct station house. During the investigation, the foster mother admitted using poor judgment in leaving the children in the car and attributed this lapse to the strain she was experiencing due to recent separation from her husband and pending divorce proceedings.

3. In another group of cases, the finding of lack of supervision was based on a judgment that the foster parent had failed to exercise the degree of supervision and careful attention required for the care of a mentally retarded or physically handicapped child. For example, a retarded foster child who had difficulties with balance and coordination was roller skating outside without adult supervision; she fell and bruised her arm. The foster mother was cited as a perpetrator for failure to exercise adequate supervision.

4. In a fourth group, consisting of seven cases, foster parents were found to have delegated responsibility of daily care for younger foster children to a teenage natural or foster child living in the home. For example, a 14 year old foster son was made responsible for the care during the summer months of four other foster children and one adopted child, aged nine to 12 years. While both foster parents were at work, the oldest child prepared meals and took the younger children to the park for recreation. In another case a nine year old mentally retarded foster child was supervised in the home by a 14 year old natural son during the time that his mother, a single foster parent, was at work. According to the record, the foster mother

Six cases in which foster parents were cited for lack of supervision also involved evidence of physical punishment.

had not informed the agency concerning her employment status.*

5. In an additional two cases foster children were found to be left completely unsupervised for extended periods of time, and investigators also noted deficiencies in food and clothing for the children involved. Agency action and CIU investigation occurred in these cases after the situation had been brought to the agency's attention by the complaint of the children in one case and a neighbor in the other. The persistence of the maltreatment in these and some of the delegated supervision cases described above raises questions about agency monitoring of these foster homes.

One case involving a finding of lack of supervision vividly illustrates some institutional problems underlying the mistreatment of foster children. A six week old infant was found to have suffered a fractured arm as the result of inadequate care by a foster mother. According to the foster mother, the child began to slip as she lifted him from a bath. To avoid dropping him, the foster mother grabbed the infant by the arm; she heard a popping sound and observed that the infant's arm became limp. She immediately took the child to the hospital.

The CIU investigation disclosed that this foster mother had been identified as the perpetrator in two indicated lack of supervision cases involving foster children during the previous year. She had been with another agency at the time of these incidents. In the first incident, a one month old infant died as the result of falling from the arms of this foster mother; in the second, a three year old child suffered a broken leg after falling down the cellar stairs in the foster mother's home. The foster home was closed following the second incident.

After the home closing, this woman applied to a second agency to become a foster parent without informing agency staff that she had been a foster parent previously. The second agency stated, in the CIU investigation, that they had made a routine check with the CCRS information system (which maintains data on certification and decertification of foster homes) and were not notified that this applicant had a previous case of involuntary foster home closing.

* Regulations concerning certification and licensing of foster boarding homes prohibit foster mothers from working outside their homes (444.5 (i)); exceptions can be made, however, with the approval of the Department when an agency "determines such an exception is necessary to board a child and it is in the best interest of the child to effect such boarding arrangements." (444.6(1))

The record of the investigation also noted that the foster mother had stated in the homefinding process that she did not want to care for infants, but preferred children over one year and under ten. (The foster mother had also made this same request when applying to the first agency.) According to the CIU record, the agency justified the placement of an infant against the stated preferences of the foster mother because the foster parents, who were a childless couple in their thirties, had expressed an interest in adoption. At the time the infant was placed in the foster home, the foster parents were responsible for the care of three other foster children under four years of age.

The failure of the screening process to identify the previous home closing as well as the questionable placement of an infant in this home would seem to be contributing factors to the maltreatment of this foster child. In addition, the agency case record had no indication of home visits by the caseworker during the two months that the infant had been in this foster home. These deficiencies represent institutional problems that need to be addressed in order to improve the protection of foster children. Additional problems are illustrated in the next section.

E. Pervasive Neglect

The records of a few cases in the CIU Survey indicate a pervasive neglect of foster children, involving both inadequate physical care and emotional mistreatment, which had persisted over a considerable period of time. Two cases are described in some detail below in order to illustrate the maltreatment that was found to have occurred in these foster homes and to raise some issues concerning agency performance in protecting foster children.

In the first case, two boys, aged seven and nine, were found to be maltreated upon investigation by the CIU. The foster children had been placed in this home for, respectively, 16 and 19 months at the time of the investigation. The specific findings reported by the CIU investigator were lacerations, bruises, welts; emotional neglect; and lack of food, clothing, and shelter.

Agency action was initiated after the guidance counselor in the children's school called their social worker to report that the appearance of the two boys had deteriorated steadily in the past few months. After this notification, the caseworker investigated the home situation, removed the children, and filed a report to the Central Registry, which led to investigation by the CIU. During the CIU investigation, school personnel reported that the two boys had come to school wearing dirty, ragged clothes, which were too small. The boys frequently smelled of urine and vomit and had evident scratches and bruises. They were also reported to be continually hungry.

The children stated to the investigator that their foster mother made them sleep on the floor as punishment for bed wetting. There was also evidence of physical punishment with a belt and a plastic baseball bat.

The agency alleged, according to the records, that it was totally unaware of the mistreatment of the children in this foster home. The foster parents had been evaluated positively in the case records: they were described as warm, loving, and patient in the handling of difficult children. The maltreatment of foster children in this case, however, appeared to occur over an extended period of time. At the least, the case suggests deficiencies in agency monitoring of the care received by the foster children in this home. (The case records, however, indicate that during three months prior to the investigation, the caseworker had made four home visits and had six in-agency contacts with members of the foster family.)

The second case involved three siblings, aged 10, 12, and 13, who are the product of a mixed racial marriage — a white, Jewish father and a black, Baptist mother. Two years before the investigation, they were placed in a white, Catholic foster family. The specific findings reported by the CIU investigator were lack of supervision and emotional neglect. Upon investigation it was found that the children lacked sufficient clothing; and what they did possess was worn and too small, which caused them embarrassment at school. The foster father was alleged to use racial slurs against the foster children when he was angry. The CIU record also noted that the foster children were made to do "heavy work" not required of the family's natural children.

The agency caseworker reported the case to the Central Registry. The agency case records indicate that prior to this report, a neighbor, a worker from a community agency, and the children themselves had complained to the agency regarding deficient care in this home. During the CIU investigation, each of the children's teachers, in three separate schools, were interviewed. The teachers were all aware that the children appeared neglected but none had filed a report of suspected maltreatment.

The Central Registry report was filed by the agency caseworker on a Monday. The CIU record indicates that on the preceding Friday, the foster father threw the children out of the house when he learned that they wanted to leave this foster home. The children went to the agency office, but were told to return to the home until Monday. The children were taken in by the foster parents' married daughter, who lived nearby, and then were removed from the home on Monday. The home was

subsequently closed by the agency.

Agency case records indicated that this foster home had been known to have long-standing problems. On two occasions prior to the investigation of this maltreatment case, foster children had been removed from this foster home because of deficient care. In both instances the foster parents were described as providing inadequate physical and emotional care. In 1976, at the time of the annual certification evaluation, the homefinding division of the agency stated that the home should not be recertified except with the Director's approval because of inadequate care. The home, however, was recertified and the three children in this case were subsequently placed there.

Monitoring of the foster home by the agency case worker appeared minimal. There was no evidence in the case record of home visits for at least four months prior to the CIU investigation. Home visits during the preceding year were sporadic. In addition, the records contained no evidence that the social worker had made any attempt to speak with the foster children separately from the foster parents.

This case illustrates a pattern of institutional mistreatment of foster children stemming from before the initial placement of these victims until the filing of a report to the Central Registry. The CIU and agency case records clearly document failures in the process of recertification, in "matching" decision making -- the selection of a particular foster home for a particular foster child -- in foster home supervision, and in child-protective action, once suspicion of mistreatment came to the attention of the agency.* Agency performance of this sort calls for accountability monitoring by SSC to determine whether other children placed with the agency are being mistreated, to require remedial action, and to impose sanctions, if warranted.

* This case also indicated a failure of teachers, who are mandated reporting sources, to file a report following suspicion of child maltreatment. (See Appendix C for a brief description of reporting regulations.)

III. CIU SURVEY FINDINGS

This chapter presents quantitative data concerning the 73 cases of indicated abuse or maltreatment in the CIU Survey. One hundred and twenty one foster children in the care of 26 agencies were identified as victims in these 73 cases. Seventy four foster parents were cited as perpetrators in 68 of the cases; in five cases natural parents were cited as responsible for abuse or maltreatment of foster children during visits.

Nearly all of the cases (70 of 73) concerned children placed in voluntary child care agencies.* Three cases involved children in the direct care of public agencies: two in the Office of Direct Child Care Services of Special Services for Children and one in the Westchester Department of Social Services.

In order to put the project findings in perspective, comparisons are made with available data on the population of children in foster homes from Child Welfare Information Services (CWIS) reports (December 31, 1979) and with the results of a recent study by David Fanshel of 385 randomly selected New York City children in foster family care in 33 voluntary agencies (Fanshel, 1979). Tables 6 and 9 present summary comparisons of data from the CIU Survey and Fanshel's study.

A. Victim Characteristics

In the majority of cases (60%) only one victim was involved (see Table 2); the mean number of victims was 1.7. The 121 children identified as victims were nearly evenly divided according to sex (49% male and 51% female).

The age of the victims at the time of the incident is shown in Table 3.** The mean age was 8.7 years, which is somewhat lower than the average for all children in foster home care. According to CWIS data as of December 31, 1979, the mean age of the 16,600 New York City children in foster or pre-adoptive homes was 10.1 years.

* Approximately 90 percent of New York City children placed in foster home care are living in foster homes supervised by voluntary agencies.

** Sex and age distributions were also computed for the 57 children who were victims of physical punishment. Fifty-one percent were male and 49 percent female; seven percent were under 3 years of age, 26 percent 3-7 years, 44 percent 8-12 years, and 23 percent 13 and over.

Table 2

Number of Victims

	<u>N</u>	<u>%</u>
One	44	60
Two	16	22
Three	8	11
Four	3	4
Five	<u>2</u>	<u>3</u>
	73	100

Table 3

Age of Victims at Time of Incident

	<u>N</u>	<u>%</u>
Less than 3 years	18	15
3 - 7	26	22
8 - 12	49	41
13 and over	<u>26</u>	<u>22</u>
	119*	100

** Data missing in two cases.

Based on the written statements of workers who investigated the 73 cases of abuse and maltreatment, Vera researchers identified types of harm suffered by the victims. These results are shown in Table 4. Lacerations, bruises, and welts was the most commonly reported type of harm (41%).

One indicator of the seriousness of harm related to child abuse or maltreatment is whether a victim was taken to a hospital for medical attention. Fifteen of the 121 victims (12%) were taken to a hospital (in most cases by their foster parent) after the occurrence of the incident.* There is a significant relationship between need for treatment at a hospital and the age of the victims. Five of the six victims under one year old (all of whom suffered fractures) and 11 of the 18 victims under three years old (61%) were treated at a hospital following the incident. Only four of the 101 victims (4%) three years of age and older were treated at a hospital.

A similar relationship was found between the age of victims and the occurrence of fractures. One third of the children under three years old suffered fractures as a result of abuse or maltreatment according to the determination of the investigators; only one percent of the older children had fractures.

These findings concerning the relationship between age and injury are consistent with the results of other research on child abuse. In an national study of reported incidents of physical abuse, Gil (1970) found that "Injuries of children under age 3 were serious or fatal in 65 percent of the cases, and injuries of children over 3 were serious in 35 percent of the cases only" (p. 120).

* One of these fifteen children, a boy aged seven, was dead on arrival at the hospital following a beating by his foster father.

Table 4

Type of Harm Suffered by the Victims*

	<u>N</u>	<u>% of Total Victims (N=121)</u>
Lacerations, bruises, welts	50	42
Emotional damage	24	21
Learning difficulties	11	10
Burns, scalding	6	7
Fractures	7	6
Delay in development	5	4
Sickness	4	3
Internal injuries	2	2
Fatality	1	1
Minor injuries	1	1
Nonassessable	37	31

* Children identified as victims may have suffered more than one of the above types of harm.

Placement history data, derived from agency case records, are described for the victims in cases in which a foster parent was cited as a perpetrator. (Data on 103 of the 114 victims in these cases are available.) At the time of the investigation, these children had a mean length of stay in the then current placement of 2.3 years. Thirty-five percent had been in the then current placement less than one year. The victims had spent a mean of 4.4 years in foster care prior to the investigation. They had been in foster care for an average of approximately one year less than all children placed in foster homes (mean = 5.4 years according to CWIS). Forty-three percent of the victims had been in foster care for less than 2 years as compared with 33 percent in the foster home population.

The number of placements encountered by the victims, including the current placement at the time of the investigation, is shown in Table 5.

Table 5

Number of Placements for Victims

	<u>N</u>	<u>%</u>
One	30	30
Two	42	42
Three or more	<u>28</u>	<u>28</u>
	100#	100

Data missing in three cases.

Seventy-two percent had one or two placements, and 28 percent had three or more. The victims of abuse or maltreatment by foster parents had three or more placements in a considerably-greater proportion than the children in Fanshel's study (28% vs. 13%). This difference is all the more noteworthy in view of the relatively shorter length of stay in foster care for the victims -- mean of 4.4 years as compared with a mean of 5.7 years in Fanshel's Study.#

The victims of abuse or maltreatment by foster parents, on the whole, had similar reasons for placement in foster care as did all children in foster home care, according to CWIS data. Two differences stand out. A higher proportion of the victims were placed in foster care for reasons of abuse and neglect. Seventeen percent of the victims were placed in foster care because of abuse, in comparison with five percent of all foster children; and 34 percent were originally placed because of neglect in comparison with 16 percent of all foster children. In addition, 40 percent of the victims were initially court-placed as compared with 25 percent of all children in foster home care. These findings suggest that the victims, in the aggregate, may have suffered greater family dysfunction and parental mistreatment before entering foster care than other children placed in foster homes.

The length of stay in foster care has been found to be positively associated with the number of placements children experience (Fanshel and Shinn, 1978, pp. 137-144).

Table 6 compares victim characteristics with data on foster children in Fanshel's (1979) study of foster family care.

Table 6

Victim Characteristics: A Comparison of CIU Survey Data with Fanshel's Study, Foster Children and Their Foster Parents

	<u>CIU Survey</u>	<u>Fanshel</u>
<u>Mean Age</u>	8.7 years	9.1 years
<u>Mean Years in Foster Care</u>	4.4	5.7
<u>Selected Reasons for Placement</u>		
Child Abuse	17%	6%
Neglect	34%	20%
Abandonment	18%	9%
<u>Number of Placements</u>		
One	30%	64%
Two	42%	24%
Three or More	28%	13%

B. Perpetrator Characteristics

Eighty-two perpetrators were responsible for the abuse or maltreatment of foster children in the 73 cases of the CIU Survey. The relationship of perpetrators to victims is shown in Table 7. Nearly all the perpetrators were foster parents (90%): 59 were foster mothers and 15 were foster fathers. In five cases, natural parents were cited as responsible for abuse or maltreatment of foster children during visits. In six cases, children were injured or sexually abused by other children (mostly other members of the foster family) and the foster parents were cited as perpetrators for failure to exercise adequate supervision.

Table 7

Relationship of Perpetrator to Victim

	<u>11</u>	<u>5</u>
Foster Mother	59	72
Foster Father	15	18
Natural Parent	5	6
Other	<u>3</u>	<u>4</u>
	82	100

Data on foster families involved in the sample of abuse or maltreatment cases is described for the cases in which a foster parent was cited as a perpetrator. Most of these data were derived from agency case records, which were examined for 63 of the 68 foster homes in which a foster parent was cited as a perpetrator.

Nearly three quarters of the foster homes were general* foster homes. Nine homes were special study** foster homes, of which four were kinship homes. Six cases involved pre-adoptive homes and one a free home.*** Table 8 shows the family status of these 68 foster homes. Thirty-four percent of the foster homes were headed by a single parent: in all but two of these 23 cases the single parent was female. The prevalence of single-parent homes in the CIU Survey is striking. In Fanshel's study of foster home care in New York City, 18 percent of a random sample of 386 foster homes drawn from 33 agencies were single-parent homes (Fanshel, 1979). Twenty percent of the foster homes in the interview survey were headed by single foster parents.

* General foster homes are established according to agency procedures of application by prospective foster parents and a homefinding evaluation that leads to certification and placement of foster children.

** Special study foster homes are licensed for specific children; they often originate as informal caretaking arrangements with relatives (kinship foster homes) or friends of the natural parents.

*** Free homes consist of families who care for foster children under agency supervision without receiving a board rate.

Table 8

Foster Family Status*

	<u>N</u>	<u>%</u>
Two Parents	45	66
Single Parent — Female	21	31
Single Parent — Male	<u>2</u>	<u>3</u>
	68	100

* For cases in which foster parents were cited as perpetrators.

At the time of the incident, the foster homes in the CIU Survey had a mean of 2.4 foster children for each home. Twenty-one percent of the homes housed from four to six foster children. The mean number of natural children in the foster homes was 1.9.*

The mean age of the foster mothers at the time of the investigation was 41 years and that of foster fathers was 45 years. The foster parents in the CIU Survey were slightly younger than those in Fanshel's study (mean age of 46 years for foster mothers and 48 years for foster fathers). The mean length of time as foster parents was 5.0 years, as compared with a mean of 6.0 years with the current agency in Fanshel's study. Seventeen percent of the foster parents had less than one year of experience at the time of the investigation.

Nearly half of the foster parents in the CIU Survey had not graduated high school, which is roughly comparable to the data on education of foster parents in Fanshel's study. Ninety-one percent of the foster fathers were employed full time and seven percent were unemployed. Thirteen foster mothers (21%) were employed: six full time and seven part-time.** Income data were not consistently available in the agency case records that were examined. The majority of the foster families owned

* In Fanshel's study the mean number of foster children was 2.0; the mean number of natural children was 1.2.

** Eight foster mothers in the interview survey (20%) reported that they were employed: five full time (30-40 hours) and three part time.

their own home. The proportion of home ownership was somewhat less in the CIU Survey cases than in Fanshel's study: 58% vs. 73%. Twenty-three percent of the foster families in the sample rented an apartment in a private building as compared with eight percent in Fanshel's study. The remaining foster families in the CIU Survey rented an apartment in public housing or rented a home.

Table 9 compares perpetrator characteristics with data on foster families reported in Fanshel's (1979) study of foster family care.

Table 9

Perpetrator Characteristics: A Comparison of CIU Survey Data* with Fanshel's Study, Foster Children and Their Foster Parents

	<u>CIU Survey</u>	<u>Fanshel</u>
<u>Mean Age of Foster Father</u>	45	48
<u>Mean Age of Foster Mother</u>	41	46
<u>Family Status</u>		
Two Parent	66%	82%
Single Parent	34%	18%
<u>Mean Length of Time as Foster Parents</u>	5 years	6 years (with agency)
<u>Ethnicity of Foster Father</u>		
Black	61%	49%
Hispanic	21%	27%
White	18%	25%
<u>Ethnicity of Foster Mother</u>		
Black	71%	54%
Hispanic	16%	25%
White	13%	21%
<u>Housing of Foster Family</u>		
Own Home	58%	73%
Rent Home	10%	4%
Own cooperative apartment	—	1%
Rent apartment, public housing	10%	13%
Rent apartment, private building	23%	3%

* Neither education nor income data are presented, owing to a sizable proportion of missing data in these categories for the CIU Survey.

C. Reporting Sources

The type of individual who reported an allegation of abuse or maltreatment for the cases in the CIU Survey is illustrated in Table 10. The majority of cases were reported by caseworkers from provider agencies (60%). Medical staff filed reports in 19 percent of the cases.

Table 10

<u>Reporting Source</u>	<u>N</u>	<u>%</u>
Provider agency worker	42	60.
Medical Staff	13	19
Police officer	5	7
Teacher	3	4
Natural parent	2	3
Other social worker	1	1
Other professional	1	1
Other	<u>3</u>	<u>4</u>
	70#	99

Data missing in three cases.

D. Investigation and Results

Investigations of the 73 cases were conducted primarily by the CIU (81%). Six cases were investigated by Protective Service agencies outside New York City and eight cases jointly by the CIU and other Protective Services agencies.

Removal of children from foster homes was a common result of the investigative process. In 36 cases (53% of the cases in which a foster parent was a perpetrator) one or more children were removed by the provider agency from the foster home involved in the alleged incident before the completion of the investigation. In another eight cases (11%), the affected children had been removed from foster homes as a result of hospitalization.

or having run away. The CIU recommended removal of children in an additional nine cases in which children had not been removed prior to or during the investigation. Overall, in 76 percent of the cases in which a foster parent was cited as a perpetrator a child had been removed or removal was recommended by the CIU. In most cases removed children were placed in other foster homes.

Foster homes were closed by provider agencies before the completion of an investigation in ten cases. The CIU recommended closing the home in an additional 37 cases. Thus in 69 percent of the cases the foster home was closed or closing of the home was recommended by the CIU.

E. Agency Monitoring to Protect Foster Children

Foster care agencies have a responsibility to monitor the care received by children placed in foster homes. An important measure of performance in this respect is the extent of visiting by agency caseworkers at the homes of foster parents.* Regular home visiting does not guarantee adequate protection of foster children, which requires skill and dedication on the part of caseworkers as well as an effort to observe the care that foster children receive. Nevertheless, the absence of foster home visiting clearly indicates a deficiency in monitoring by the agency.

Agency case records for the victims identified in the CIU survey were examined to determine the number of foster home visits by agency caseworkers during a three month period prior to the investigation. Data are described for 54 foster homes in which a foster parent was cited as a perpetrator of abuse or maltreatment and the victims had been placed in the home for three months or more at the time of the investigation. In 14 homes (26%) the records contained no evidence of home visits three months prior to the investigation. In an additional nine cases, the extent of home visiting could not be determined either because the progress notes were not recorded for the period in question or there was some indication of contact but the type (telephone, in-agency contact, home visit, etc.) was

* New York State regulations require quarterly visiting to supervise the care of foster children: "Supervision over children placed in foster homes shall be maintained by the placing agency or its representative through visits made, in the case of children at board, at least quarterly, and, in the case of children in free homes, at least semi-annually." (445.1) Although the intent of this regulation was probably to mandate quarterly home visiting, this is not explicitly stated. (Visits also may occur at the agency office.)

not specified.*

The distribution of home visits for the 54 cases is shown in Table 11. Twenty percent of the homes had only one home visit by the agency caseworker, and an additional 15 percent had two home visits. Overall, 61 percent of these homes had less than three recorded home visits by the caseworkers during a three month period prior to the investigation of abuse or maltreatment by a foster parent. In an additional 17 percent, the extent of home visiting could not be determined from the records. Thus in only 22 percent of these foster homes was there a record of three or more home visits during the three month period prior to the investigation.**

Table 11

Home Visits by Caseworkers Three Months Before Investigation#

	<u>N</u>	<u>%</u>
No visits	14	26
One visit	11	20
Two visits	8	15
Three or more visits	12	22
Unknown:	<u>9</u>	<u>17</u>
	54	100

* For cases in which foster parents were cited as perpetrators and victims had been in placement three months or more at the time of the investigation.

In all cases, the records were examined no less than four months after the report of abuse or maltreatment was filed.

** The interview survey obtained data concerning home visiting by the caseworker according to the statements of foster mothers. In nearly three quarters of the 41 homes (73%), home visiting occurred at least monthly. Only in four of the foster homes (10%) did home visits occur less than once every three months. It should be emphasized that these data may not be representative since only three agencies participated in the interview survey.

Deficiency in agency monitoring, as indicated by the absence of visiting, was not limited to a few agencies in the sample of CIU Survey cases. Thirteen of the 25* agencies with indicated cases of abuse or maltreatment had one or more cases in which the records contained no evidence of foster home visiting for three months prior to the investigation.

The absence of home visiting by caseworkers does not imply that there was no face-to-face contact between the caseworker and foster parents and foster children. Data were also collected from agency records on the contacts at the agency office between the caseworker and the foster children and foster parents. In nine of the 54 cases (17%) in which the children had been in the then current placement three months or more prior to the investigation, neither in-home nor agency contacts were recorded. Six agencies were responsible for the nine cases with no recorded face-to-face contact between the caseworker and the foster parents or foster children during a three month period prior to the investigation for abuse or maltreatment. In six of these nine cases with no recorded face-to-face contact, the neglect or abuse of foster children appeared to be persistent.

* Agency case records were examined for 25 of the 26 agencies that had jurisdiction over cases in the CIU Survey.

IV. FACTORS ASSOCIATED WITH ABUSE AND MALTREATMENT OF FOSTER CHILDREN

This study is basically a descriptive and exploratory research effort. The case record surveys in this research do not include a comparison group of foster families not involved in investigations of abuse or maltreatment. Accordingly, a reliable causal analysis of this complex problem is not possible on the basis of project findings. Comparison, however, with available data on the population of children placed in foster homes and with other research on foster family care can identify some factors that may contribute to the abuse or maltreatment of foster children. In other instances, where no comparative data are available, the prevalence of certain factors in the sample of abuse and maltreatment cases may suggest some hypotheses that could be tested in future research.

A. Foster Family Status

The relatively high proportion of single-parent families in the CIU survey cases (34%), which significantly exceeds the proportion reported in Fanshel's study of foster families (16%), suggests that these foster homes in the aggregate may pose a somewhat greater risk for foster children than two-parent foster families. The reasons for a disproportionate number of single-parent foster families in the sample of abuse and maltreatment cases are not apparent. According to the case records, single-parent foster mothers were not substantially more likely to be employed than foster mothers in two-parent families (23% vs. 20%). In some cases, failure to arrange adequate alternative child care by working, single-parent foster mothers resulted in neglect of foster children; but this was also true of two-parent foster families in which both parents were employed.

Single-parent families were not responsible for significantly different types of mistreatment than two-parent families. Cross-tabulations of specific case findings by family status did not reveal any significant differences.* Two-parent families were somewhat, but not significantly, more likely to be involved in cases of physical punishment than single-parent families (51% vs. 35%).

Single-parent families would seem, on the whole, to face a greater burden of child care than two-parent families. The strains caused by this burden, coupled with financial difficulties, may underlie the high proportion of single-parent foster families in the sample of abuse and maltreatment cases.

* One difference between the single-parent and two-parent families in the CIU Survey approached significance: 19% of the single-parent families were involved in cases in which lack of food, clothing, or shelter was a finding, in contrast to five percent of two-parent families ($p = .07$).

B. Stress

One of the prominent theoretical positions concerning the causes of child abuse identifies stress as a precipitating factor in abusive behavior by parents or other caretakers (see, e.g., Gelles, 1973 and Gil, 1975). In order to probe possible relationships between stress and child maltreatment, data were collected from agency records concerning such variables as unemployment and problems with work, financial problems, and marital difficulties of foster parents responsible for survey cases of abuse and maltreatment.*

Overall, little evidence was found of stress in these areas as a possible factor contributing to the mistreatment of foster children. Prior to the investigation for abuse or maltreatment, one foster father had recently lost his job; problems at work were not noted in the records for any of the employed foster parents; for four foster mothers there was some evidence of pressures due to recent employment; financial pressures were noted in six cases; and marital problems were reported in the records for four foster families.

On the other hand, the records of some cases strongly suggest that stress factors contributed to abuse or maltreatment of foster children.** Stress may have been a factor in other cases, though not noted in the case records. Interviews with former foster parents found to have been responsible for abuse or neglect of foster children might yield more reliable results on the influence of stress.

C. Special Problems and Behavior of Foster Children

Studies have indicated that a substantial proportion of foster children have emotional or behavioral problems (Swire and Kavalier, 1977; Fanshel and Shinn, 1978). In addition, there is a widespread opinion among child welfare practitioners that the proportion of foster children with physical or mental handicaps is increasing. Because the care of children with special problems may impose severe strains on caretakers, it was hypothesized that the problems of foster children might contribute to the occurrence of abuse or maltreatment. Without the use of a comparison or control group, no findings can be

* Stress relating to emotional or behavioral problems of foster children is discussed in the next section.

** An example is the case, described in Chapter II, of a foster mother who left her young children locked in her car. Marital and financial stress appeared to be factors contributing to the mistreatment.

conclusive in regard to this hypothesis. Nevertheless, findings are presented for their suggestive value.

Data drawn from case records did not indicate a striking prevalence of handicapped foster children among the victims of abuse or maltreatment. Case records contained a diagnosis of physical handicaps for six percent of the victims, mental retardation for eight percent, and hyperactivity for 12 percent. Several children had multiple handicaps.

A substantial proportion of victims appeared to have emotional problems. Twenty-three percent had problems with bedwetting; 14 percent had a diagnosis of an emotional illness; and, overall, in the records of 48 percent of the victims there was some evidence of emotional problems.

A rough comparison with other studies suggests that these victims of abuse or maltreatment, in the aggregate, do not appear substantially more emotionally disturbed than foster children in general. In a health survey of 668 children in foster homes in New York City, psychiatric impairment was noted for 96 percent of the children examined, with 70 percent showing "moderate-severe" impairment (Swire and Kavalier, 1977). In Fanshel's longitudinal study of children in foster care (Fanshel and Shim, 1978), examining psychologists rated 32 percent of the 624 children as "suspect" or "abnormal" at the first testing session; approximately one-quarter of the children tended to show a pervasive pattern of emotional disturbance over a five-year period in foster care (pp. 313-314).

Many of the abuse or maltreatment cases in the CIU survey involved physical punishment used to discipline foster children. In several cases excessive physical punishment appeared to have been provoked by the difficult behavioral problems exhibited by the victims. Once again, project data regarding the influence of children's behavioral problems can only be suggestive. The case records contained evidence of lying or stealing by the victims in 28 percent of the cases. Discipline problems in school were noted in the records of 30 percent of the children.

A possible indicator of serious behavioral problems is the number of placements encountered by foster children, since foster children may be removed from a foster home due to foster parents' unwillingness or inability to cope with their behavior.*

* Foster children may be transferred to another placement for other reasons: e.g., movement from an emergency to a longer-term foster placement, death of a foster parent, foster family relocation, foster parents' dissatisfaction with agency supervision, etc.

Seventy percent of the victims of abuse or maltreatment by foster parents had experienced more than one placement prior to the incident; and 26 percent had experienced three or more placements.* In Fanshel's recent study of foster families, only 36 percent of the children had more than one placement and 13 percent had three or more. The significantly greater proportion of multiple placements (three or more) of foster children in the CIU Survey, when compared with that reported in Fanshel's study, suggests that children who have encountered repeated placements while in foster care may be at greater risk of abuse or neglect by foster parents. The reasons for the multiple placements encountered by the victims are not known, but in some cases may reflect difficult behavior manifested by these children.

It was hypothesized that children placed in foster care for reasons of parental abuse might be at greater risk for physical abuse in foster homes than children initially placed for other reasons. As indicated above, 17 percent of the victims of abuse or maltreatment by foster parents were originally placed in foster care because of abuse; only five percent of all children placed in foster homes have abuse as a reason for placement according to CWIS data. The disproportion of children in the CIU Survey placed initially in foster care because of abuse suggests that these children are at greater risk of mistreatment (though not necessarily physical abuse) in foster homes than children initially placed for other reasons.**

* Seven children had four placements; three had five placements; three had six placements, and one child had seven placements.

** Limitations in the data derived from CIU findings do not permit an accurate determination of the number of victims placed initially because of abuse who were subsequently abused (as opposed to maltreated) in foster homes.

V. RECOMMENDATIONS AND DISCUSSION

Project recommendations are summarized in the Executive Summary (pp. iv-ix). This section elaborates a recommended strategy of protecting children placed in foster homes from abuse and neglect. The recommendations are based on research findings, reflection on the problem of foster child mistreatment, discussion with researchers and practitioners in the field of foster care, and examination of relevant literature on foster care and child abuse and neglect. Recommendations have not been developed with respect to homefinding and the investigative process since these areas are being studied in depth by a joint effort of SSC and the Office of the City Council President (homefinding) and the Department of Investigation (investigative process).

A. Homefinding

The screening of foster parent applicants by agency workers in the traditional process of homefinding represents an important intervention point to prevent the abuse or neglect of foster children. Failures in the process of homefinding not only may expose children to mistreatment or problematic care but also may create situations that are difficult to remedy in the interests of foster children. Once children are placed in inadequate foster homes, and become attached to a family that provides deficient care[#], corrective action is complicated by the need to preserve continuity and stability for children who have already experienced separation from their parents and perhaps also from previous foster families. Careful homefinding can help prevent these problems.

In view of the study of homefinding to be conducted by SSC and the Office of the City Council President, this report will not address the traditional process of selecting foster homes. Issues of screening foster parent applicants will be discussed briefly in the context of recommendations concerning training of prospective foster parents, which can function in part as a device for screening of applicants.

B. Foster Parent Training

Foster parent training needs to be extended, improved, and institutionalized as a mandatory feature of foster family care in order to help prevent the abuse and neglect of foster children. Foster parent training, of course, serves a larger purpose than helping prevent gross mistreatment of foster children. It aims

[#] A number of cases in the CIU Survey indicated that some foster children seem strongly attached to abusive or neglectful foster parents.

to prepare new foster parents for their role and to develop foster parents' skills by explaining the roles and responsibilities of foster parents and agency staff, by imparting the knowledge needed to perform the role of foster parent competently, and by cultivating foster parents' insight into the behavior of foster children. Since its potential to help prevent the abuse and neglect of foster children has not received attention in the literature on foster parent education, the rationale for foster parent training as a preventive tool is discussed briefly below.

Mistreatment of foster children in some instances may stem from foster parents' lack of knowledge or insight. There is evidence from both the CIU Survey and interviews with randomly-selected foster parents that some foster parents have been unaware of the regulation prohibiting corporal punishment of foster children. It is suspected, however, that most foster parents who use physical punishment know that it is prohibited, but spank or beat their foster children in part because they, like most other parents, are unaware of other methods that may be effective in controlling the behavior of children and instilling standards of conduct. In addition, foster parents' use of physical punishment seemed to be accompanied in many cases by a lack of understanding of children's behavior. Training concerning children's behavior and appropriate techniques of behavior management might be effective in preventing abuses of physical punishment as well as improving the interaction of foster parents and foster children.

Foster parent training can help prevent mistreatment not only by imparting knowledge and developing skills. As a prerequisite of certification, pre-service training may screen out potentially abusive or neglectful foster parents. Such training should make clear the expectations for foster parents, in areas such as discipline and supervision of children, and encourage applicants to evaluate their interest in becoming foster parents in the light of these expectations. Consequently, pre-service foster parent training may result in self-screening of applicants who are unwilling to adopt the foster parent role and adhere to established standards.

Foster parent training might, more indirectly, help prevent mistreatment by reinforcing a cooperative relationship between foster parents and agency staff. Distrust and conflict between foster parents and caseworkers is an often-noted problem in the field and clearly surfaced in the project interviews with foster parents and caseworkers. The problems in this relationship, revealed in our research, appeared to result in part from confusion regarding respective roles and responsibilities.

Where a cooperative relationship is lacking, foster parents may hide potentially serious problems from caseworkers that might be resolved or alleviated by forthright discussion or by providing appropriate services. Without a framework of teamwork and trust, caseworkers may be reluctant to intervene to correct deficiencies in care that may pose a risk of mistreatment. Training that clarifies roles and responsibilities of foster parents and caseworkers and encourages genuine teamwork in service to foster children may help prevent mistreatment as well as improve the quality of foster care.

For the reasons highlighted above, enhancement of foster parent training both pre- and in-service, is strongly recommended. New York State regulations should be amended to require a minimum number of hours of pre-service foster parent training as a condition of certification.[#] (The overwhelming majority of agencies responding to a questionnaire on foster parent training -- 40 to 42 -- indicated that training should be mandatory for new foster parents.)

The amended regulation should specify required topics for pre-service training, including discipline and regulations concerning abuse and maltreatment. In order to assure minimally adequate training, agencies might be required by the regulation to submit a plan for pre-service foster parent training to the local Department of Social Services. The provision of mandatory pre-service training should be monitored as a component of SSC's foster care assessment process.

It is also recommended that agencies make a greater effort to expand in-service training of foster parents. Thirty-three of 42 agencies responding to the questionnaire on foster parent training stated that they provide, or make available, some form of in-service training for foster parents. Several responses, however, indicated that agencies have had difficulty in obtaining participation in in-service training programs. Project interviews revealed that many experienced foster parents are resistant to training -- or, more precisely, do not see the need or usefulness of participating in what they perceive as training.

Foster care administrators and planners might explore the creation of incentives for foster parents to participate in in-service training. In-service training might be made mandatory for foster parents who care for certain types of children, such as physically handicapped, mentally retarded, or emotionally

[#] In the State of Georgia, foster parent applicants must complete before certification 12 hours of training using the Child Welfare League's "An Introduction to Foster Parenting"; Denver County requires eight hours of orientation classes as a condition of foster home certification.

disturbed children. Increased board rates or payment of a fee for foster care services might be provided for foster parents who participate in a prescribed program of ongoing in-service training. One method of requiring in-service training, practiced in Denver County, Colorado, is to make participation mandatory for all foster parents who wish to receive new placements of foster children.

Although project interviews indicated that most of the interviewed foster mothers may be resistant to formal training, nearly all expressed an interest in meeting periodically with a group of other foster parents to discuss issues concerning fostering children. If formal training programs were linked with more informal discussion groups, participation in in-service training might be increased. Involvement of foster parent associations in planning and implementing in-service training would also help, since these organizations have been instrumental in the expansion of training opportunities for foster parents.

C. Matching

A few cases in the CIU Survey clearly exhibited deficiencies in matching: the decision by an agency to place a particular foster child with a particular foster family. Two of these cases were described above: an infant who suffered a fracture due to negligent care was placed with a foster mother who expressed a wish to the agency not to receive infants and was already caring for three other children under four years of age; three siblings from a mixed racial natural family were neglected and suffered emotional abuse in a white foster family of different religious background than the children.

In a third case, a 13 year-old child, described in the record as having emotional problems and being manipulative (she had been sexually abused by her natural mother's common-law husband), was placed along with her sister, aged six, in the home of a 23 year old, single foster mother. This foster mother, who had been a foster parent for only four months at the time of the investigation, also had an infant of her own to care for. The foster mother was constantly in conflict with her adolescent foster daughter and repeatedly threatened to have her removed from the foster home. (The foster mother was cited as a perpetrator for scratching the child, apparently in a fight.)

The following recommendations are made with the aim of improving the practice of matching the needs of foster children with the capabilities of foster parents:

- ° Agencies should review their policies and practices concerning the selection of foster homes for particular children and take steps to improve practice where deficiencies are observed;

- ° The process of orientation and training for new foster parents should be directed to help them determine the types of children in whom they are interested and for whom they are best able to care;

- ° Agency matching decisions should respect the preferences of foster parents;

- ° The annual foster home recertification process should involve an assessment of the foster family's capability to provide adequate care for various types of children and this should be clearly documented in the case records;

- ° SSC should develop guidelines for matching decisions to be disseminated to agencies and used as a standard for agency monitoring by the Office of Placement and Accountability.

Guidelines for matching would need to reflect the constraints on decision making in this area. According to discussion with practitioners in the field of foster family care in New York City, placements in foster homes generally are made on an emergency basis. This does not permit a careful diagnostic assessment of the behavior and needs of children prior to initial placement. In addition, in the context of a decentralized system of service provision, with nearly 50 agencies providing foster family care to New York City children, each agency that accepts a child for placement may have only a limited supply of available foster homes in which the child can be placed. Finally, matching involves weighing a variety of factors -- including demographic characteristics of the child and the foster family (e.g., age, ethnic and racial background, religious affiliation); the child's developmental level, special needs, behavior problems, and plan for permanence (if known); the strength and weaknesses of the foster family; and the foster parents' opinions concerning the type of children they are able and willing to serve.

In view of this complexity in matching foster children and foster parents, considerable latitude for discretionary, case-by-case judgments will be necessary. It is argued that, in spite of these constraints on matching decision making, the formulation of guidelines for matching decisions would assist agency social workers and provide a framework for accountability monitoring.

D. Enforcement of Ban on Corporal Punishment

Nearly half of the cases in the CIU survey involved physical punishment of foster children. In interviews with 41 randomly selected foster mothers, 49 percent indicated that they, on occasion, use physical punishment. Although corporal punishment

of foster children is prohibited by New York State regulation, it would appear that many, perhaps most, foster parents use physical force to discipline foster children.

The regulation prohibiting corporal punishment of foster children does not stipulate any type of corrective action in cases of violation. It is recommended that formal corrective action be taken in every case in which a foster parent has been found to have used an object to administer physical punishment. Children, of course, may be injured by slapping or spanking. But use of an object would seem to raise the risk of injury. Furthermore, the CIU Survey suggests that use of an object, such as a belt or an electric cord, may often be associated with a commitment to physical discipline as an acceptable mode of punishment and may often be part of a ritual of parental domination.*

The following corrective action, to be used with discretion according to the circumstances of each case, is recommended. Foster parents found upon agency investigation to have used an object as an instrument of punishment of a foster child shall be decertified unless closing the home, with consequent removal of the foster children, would be detrimental to the welfare of the foster children placed in that home. In the latter case, the foster home shall be disqualified from receiving any additional foster children unless the foster parents participate in training on discipline and commit themselves to refraining from the use of physical punishment in the future.

The recommendation of instituting such corrective action for the use of physical punishment with an object does not imply a broadening of the current ground for intervention in response to alleged abuse or maltreatment of foster children. Under New York State Law, corporal punishment must be "excessive" to constitute maltreatment; and it must result in serious injury or a substantial risk of serious injury in order to constitute abuse (FCA 1012). It is not suggested that minor physical punishment with an object should be treated as abuse or maltreatment. According to the recommended standard, decertification or disqualification from receiving additional foster children would be considered whenever an agency determined that a foster parent had used physical punishment with an object. The violation would

* In a study of disciplinary practices of English mothers of seven year old children, John and Elizabeth Newson described use of an object in physical punishment as "formalization of aggression." "...to fetch an implement, or even to own an implement as such, all signify the mother's acceptance of smacking as punishment as opposed to her use of it as an expression of anger." (Newson, 1976 p.101)

be subject to mandatory reporting and official child protective investigation only in accordance with existing law and regulations.

Requiring foster parents to refrain from using potentially harmful physical punishment, and enforcing this requirement, clearly applies a higher standard of child rearing to foster parents than to natural parents. It might be objected that the position recommended here is unfair and unreasonable, since foster parents are substitute parents recruited to provide a normal family environment for children who have been separated from their biological families.

The emerging role for foster parents, however, is that of a professional caretaker, — a helping agent — who not only must provide love and nurturing for foster children but needs understanding, insight, and skills to care for troubled children and help them achieve a permanent home. If foster parenthood is regarded as a professional role that requires special abilities and training, then it seems appropriate to apply standards of child-rearing that are different from, and more exacting than, those applied to natural parents. It is not unreasonable to expect foster parents as trained practitioners to refrain from a method of punishment that, although widely used by American families, is regarded as undesirable and potentially harmful by many experts in child development (See, e.g., Fraiberg, 1959, Feshbach, 1973).

A second, related objection is that if the ban on corporal punishment of foster children were enforced vigorously, resulting in removal from the system of foster families who are unwilling to refrain from physical punishment, the supply of foster parents would be reduced drastically. This issue can only be settled by testing experimental programs of foster parent recruitment, selection, and training, and by experimental enforcement of the prohibition of physical punishment. The prospect of preventing abuse of foster children and improving the care they receive suggests that this experimental effort is worth attempting.

E. Monitoring of Foster Homes

Agency caseworkers have the responsibility of monitoring the adjustment of children placed in foster homes and protecting them from mistreatment. Periodic visits to the foster home are necessary to discharge this responsibility. Data on caseworker visiting, presented in Chapter III, illustrate striking deficiencies in home visiting for a substantial proportion of the cases of abuse or maltreatment.

New York State regulations should be amended to require explicitly a minimum frequency of home visiting by agency caseworkers.* It is suggested that a home visit every two months be the minimum required. More frequent home visiting, perhaps once per month at a minimum, should occur during the first year of placement to monitor the initial adjustment of the child to the foster family.

Visiting, both at the foster home and in the agency office, should be documented clearly in the case record. To facilitate monitoring by supervisors and SSD accountability workers, it is recommended that each case record contain a visiting log, which indicates the date and location of visits and the persons present at the visit. For each home visit, the progress notes should clearly state the worker's observations concerning the welfare of the foster children and any pertinent comments concerning the behavior of the foster parents.

Based on a review of the CIU Survey cases and interviews with foster parents, foster children, and caseworkers, two areas of child care -- discipline and supervision of children -- seem to require improved monitoring. Caseworkers must be aware of the disciplinary practices of foster parents and intervene when they learn about, or suspect, the use of physical punishment or other unacceptable practices (e.g., threatening to have children removed from the foster home). Enforcement of the ban on corporal punishment recommended above, would be primarily the responsibility of caseworkers. If physical abuse of foster children is to be prevented, caseworkers must be vigilant in taking corrective action when they discover that foster children have been beaten with an object. It is also their responsibility to help foster parents find effective alternatives to physical punishment and other unacceptable disciplinary practices.

Caseworkers should monitor the arrangements for care of foster children when single foster parents or both parents in a two-parent foster home are employed. In view of the current economic situation faced by families and trends in the employment of women, it is unrealistic to expect, or require, all foster mothers to maintain the traditional homemaker role. Agencies, however, need to protect foster children from inadequate substitute care during the time foster parents are at work. It is recommended that the New York State regulation prohibiting employment by foster mothers outside the home should be amended

* Draft revised NYS DSS regulations, which have been distributed for comment, require regular "conferences" between agency staff and foster parents in the foster home. These must be held no less than once every 90 days (443.3(1)).

to permit employment provided that adequate substitute child care has been arranged and it has been approved by the agency.*

Foster parents should be required to keep the agency informed concerning their employment status and hours of work. The homefinder or caseworker should discuss arrangements for alternative child care before children are placed in the care of foster homes in which the primary caretaker is working and plans to continue working. If a previously unemployed foster parent who has primary child care responsibility intends to find employment, a meeting should be held with the caseworker before the employment begins to discuss child care arrangements. Finally, caseworkers should occasionally make spot-checks of the alternative child care received by children placed with working foster parents in order to assure that the arrangements are adequate to meet the needs of foster children.

To help guide agency staff in their child protective role, SSC should sponsor the development of a manual on the protection of foster children. The manual could be used in training agency staff and as a reference work. Suggested topics for such a manual are outlined below:

- A. The Nature of Child Abuse and Maltreatment in Foster Home Care.
- B. Child Protection in the Placement Process
 1. Recruitment, selection, and training of foster parents
 2. Matching
 3. Caseworker monitoring of foster homes
 - a. visiting and observation
 - b. support and counselling
 - c. referral
 4. Situations posing risks of maltreatment
 - a. discipline
 - b. alternate child care for working parents
 - c. infants with inexperienced foster parents

* This recommendation is consistent with draft revised WIS DSS regulations (444.4 (a) (4)).

5. Removal of foster children
 6. Home closing
- C. Reporting and Investigation

VI. CONCLUSION

Based on the findings of this research, we have identified key issues concerning the care provided by foster families and the performance of agencies that need to be addressed in order to protect foster children from abuse and neglect. We conclude this report by highlighting these issues.

The CIU Survey cases indicated that a substantial number of foster children have been beaten, often severely, by their foster parents. As in the case of child abuse in general, the true incidence of physical abuse of foster children by foster parents is unknown.* Many incidents of physical punishment similar to those in the CIU survey may never be reported or investigated.

The interview survey suggested that physical punishment of foster children may be widespread. Twenty of 41 interviewed foster mothers (49%) reported that on occasion they spank or hit their foster children; in 27 percent of the sample of foster homes, foster parents have used an object to discipline their foster children, according to statements by foster parents and their foster children. If physical punishment with an object is as widespread in foster family care as the interviews suggest, then many foster children may be at risk of physical abuse.

To protect foster children we recommend that public and private agencies responsible for providing and monitoring foster family care undertake a determined effort to eliminate the physical punishment of foster children. This effort should include:

- ° Screening out foster parent applicants who are committed to using physical punishment or considered likely to use it;
- ° Providing training, both pre-and in-service, regarding the behavior of children and appropriate techniques of behavioral management;
- ° Removing from the system foster parents who use objects to hit their foster children.

Nearly half of the cases in the CIU Survey involved deficiencies in the supervision of foster children. Failure to arrange appropriate child care during the time foster mothers are at work was a relatively common feature of these cases.

* See Appendix G for a discussion of the incidence of indicated abuse and maltreatment.

The situation that gives rise to this problem does not appear isolated: 21 percent of the foster mothers in the CIU Survey and 20 percent in the interview sample were employed outside their home. Agencies and foster parents must assure that children receive adequate supervision during the time foster parents are not at home.

Several CIU Survey cases, some of which were described in preceding chapters, illustrated striking deficiencies in agency performance that may have contributed to, or prolonged, the occurrence of foster child mistreatment. These deficiencies included gaps in home finding, poor matching of foster children and foster parents, and inadequate monitoring of foster homes.

Only foster parents and other individual caretakers are officially identified as perpetrators of abuse and maltreatment of foster children; however, provider agencies bear a large share of responsibility for the mistreatment described in this report. We believe that most, though not necessarily all, of the cases of foster child mistreatment examined in the CIU Survey could have been prevented. The recommendations detailed in Chapter V are aimed at improving the performance of the New York City foster care system so that the abuse and neglect of children placed in foster homes can be prevented and the quality of care they receive can be enhanced.

Foster family care is a vital social service that protects children endangered by inadequate parental care and aims to reunite families or achieve an alternative permanent family arrangement for foster children. In view of its mission, it is imperative that the system of foster family care protect children placed in foster homes from the types of parental mistreatment that, along with other family problems, have created the need for foster care.

APPENDIX A

FOSTER FAMILY CARE IN NEW YORK CITY

The following is a brief description of foster family care in New York City. (For an extensive review of foster family care as a child welfare service see Kadushin, 1980, chap. 8).

In accordance with New York State law and regulations, New York City foster children are placed under the care and custody of the New York City Commissioner of Social Services.* Most New York City children in foster family care are placed voluntarily by their parents (75%); one-quarter are placed with the Commissioner of Social Services by the order of Family Court. Parents remain the legal guardians of foster children unless they have surrendered their parental rights or had them terminated by court order.

Special Services for Children, a division of the New York City Department of Social Services, is responsible for placing children in foster care and monitoring the care they receive. The vast majority of New York City foster children are placed by SSC under the care of authorized voluntary agencies, which have contracted with SSC for the provision of foster care services. Approximately ten percent of New York City foster children are under the care of the Office of Direct Child Care Services in SSC.

Authorized agencies recruit and select foster parents and place children, who have been referred by SSC, in foster homes. Families that board foster children must receive a certificate or license and are subject to annual reevaluation by the agency. Agencies pay foster parents a board rate for maintaining each foster child, for which they are reimbursed by SSC. Foster parents are responsible for daily care of foster children in a family environment. They are not employees of the agencies and do not receive payment for services provided to foster children. Social workers employed by agencies are responsible for assessing the needs of foster children and coordinating the provision of services; monitoring the adjustment and care of foster children in their foster home placement; planning for discharge from foster care (return home, adoption, or independent living); and working with biological families to implement permanency plans.

* New York State law governing foster care is set forth in the Social Services Law Article 6 and the Family Court Act Article 10. Regulations are set forth in 18 NYCRR.

APPENDIX B

LEGAL DEFINITIONS OF ABUSE AND MALTREATMENT

Regulations of the New York State Department of Social Services (§441.8) define abuse or maltreatment# of children in foster care according to the definitions contained in the Family Court Act. In addition, abuse or maltreatment of children in foster care include acts that are "demeaning" or "degrading" to a child.

According to the Family Court Act (§1012) an abused child is "A child less than eighteen years of age whose parent or other person legally responsible for his care:

- (i) inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
- (ii) creates or allows to be created a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
- (iii) commits, or allows to be committed a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article."

A neglected child is "A child less than eighteen years of age:

- (1) whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to exercise a minimum degree of care:
 - (a) in supplying the child with adequate food, clothing, shelter or education in accordance with the provisions of part one of article sixty-five of the education law, or medical, dental or optometrical or surgical care, though financially able to do so; or

Maltreatment is the same as neglect.

- (b) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he loses self-control of his actions; or by any other acts of a similarly serious nature requiring the aid of the court; or
- (ii) who has been abandoned, in accordance with the definition and other criteria set forth in subdivision five of section three hundred eighty-four-b of the social services law, by his parents or other person legally responsible for his care."

APPENDIX C

INVESTIGATION OF ABUSE AND MALTREATMENT OF FOSTER CHILDREN

A. Central Registry

Investigation of child abuse is the responsibility of Special Services for Children (SSC). The Central Registry in SSC* receives reports of alleged child abuse and neglect in New York City. The Social Services Law (§413) defines a class of persons who are required to report "when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child." This class includes: any physician, surgeon, medical examiner, coroner, dentist, osteopath, optometrist, chiropractor, podiatrist, resident, intern, psychologist, registered nurse, hospital personnel engaged in the admission, examination, care, or treatment of persons, a christian science practitioner, school official, social services worker, day care worker, child care or foster care worker, mental health professional, peace officer, or law enforcement official. Any other person may make a report of suspected maltreatment (§ 414). Persons mandated to report who willfully fail to do so are guilty of a class A misdemeanor (§ 420). Such persons also are civilly liable for damages proximately caused by their failure to report.

Mandated reporting sources are required to make both an immediate telephone report to the Central Registry and forward to the Central Registry a written report, on a standard state form, within 48 hours of the alleged incident. These reports are transferred for investigation to the appropriate Application Sections of the SSC borough Field Offices. In the case of abuse or maltreatment of children in foster homes or institutional facilities, the reports are received by the Application Section of the Manhattan Field Office, where they are assigned to the Confidential Investigation Unit for investigation.

B. The Confidential Investigation Unit

The Confidential Investigation Unit (CIU), a division of SSC, is responsible for investigating reports of alleged abuse and maltreatment in the New York City foster care system. The CIU also investigates reports of accidents, incidents, (disruptions that do not result in injury to children), illness, and death in foster homes, group homes, and institutional facilities.

The CIU's focus is child-specific: i.e., it only investigates allegations of abuse or maltreatment involving specified children. SSC's Office of Accountability investigates general complaints of maltreatment lodged against voluntary foster care agencies.

* As of October 1980, the Central Registry in New York City was transferred to the responsibility of New York State Department of Social Services.

The CIU must begin an investigation within 24 hours after receiving a report. Investigators have the authority to interview any child or employee regarding the reported incident. At the conclusion of the investigation, a determination is made whether the report of abuse or maltreatment is indicated or unfounded. The CIU is empowered to "recommend" corrective action, with which agencies must comply. As a result of its findings, the CIU can close a foster home, remove a child immediately from a specific placement, or require that a child care worker no longer supervise children. Agencies are required to respond in writing within two weeks on action taken to comply with the CIU's recommendations.

DEFINITIONS OF FINDINGS

BASIS OF SUSPICIONS - Alleged consequences or evidence of abuse or maltreatment may include but are not limited to the following:

1. DOA/Fatality - the consequence of abuse or maltreatment was so severe as to result in the child's death.
2. Fractures - the nature of the fractures or the conditions under which the fractures were incurred are such that there is reasonable cause to suspect such fractures were the result of abuse or maltreatment.
3. Subdural Hematoma, Internal Injuries - medical evidence indicates the nature of these injuries or the conditions under which these injuries were incurred are such that there is reasonable cause to suspect such injuries were the result of abuse or maltreatment.
4. Lacerations, Bruises, Welts - the nature of the lacerations, bruises, or welts or the conditions under which they were incurred are such that there is reasonable cause to suspect they were the result of abuse or maltreatment.
5. Burns, Scalding - the nature of the burns or the conditions under which the scalding was incurred are such that there is reasonable cause to suspect such burns were the result of abuse or maltreatment.
6. Excessive Corporal Punishment - the excessive use of punishment or discipline to the extent that it results in physical injury.
7. Child's Drug/Alcohol Use - this means that the child is using drugs and/or partaking of alcohol and that such activity is the result of parental neglect.
8. Drug Withdrawal - this means that the child is exhibiting signs of drug withdrawal. This is usually associated with newborn infants.
9. Lack of Medical Care - this means that the child is showing general evidence of being in poor health and the parents are unable or unwilling to obtain medical advice and/or treatment.
10. Malnutrition, Failure to Thrive - these are medical conditions usually diagnosed by a physician where the child is exhibiting physical and emotional symptoms such as developmental retardation,

Appendix

BASIS OF SUSPICIONS - Con't.

dehydration, loss of weight and other physical and emotional signs.

11. Sexual Abuse - this relates to attempted or actual sexual molestation of the child(ren) committed or allowed to be committed by the parent(s), guardians, or other persons legally responsible.
12. Education Neglect - this refers to children not attending school in accordance with the compulsory Education Act (Part I of Article 65 of the Education Law). This is usually associated with the failure of parents to ensure their children's prompt and regular attendance, inappropriately keeping children out of school, and demonstrating lack of interest in their children's academic achievement or lack of it.
13. Emotional Neglect - this refers to children who are showing evidence in their behavior of emotional or mental instability and whose parents are unable or unwilling to acknowledge these problems, the need for treatment, or accept treatment when available or offered. This is often associated with parent's failure to provide the necessary emotional supports as a result of the parents own emotional or mental instability.
14. Lack of Food, Clothing, Shelter - this means that at least one of the following conditions exists: there is an inadequate supply of food and the child is not getting enough to eat; there is an inadequate supply of clothing and the child does not have clothing sufficient to meet his basic needs, or there is deficiency in housing and living arrangements to the extent that neglect or abuse exists. (Such deficiencies may relate to the physical structure itself, space housekeeping practices, utilities and household equipment.
15. Lack of Supervision - this means there are either periods of no supervision or an inadequate quality of supervision provided. Periods of no supervision refers to children being left alone without supervision; it also refers to children being allowed to roam or remain away from home for extended periods and the parents do not know where they are. Inadequate quality of supervision provided refers to children being left with a caretaker who is inadequate to the task of supervising them; it also refers to children being exposed to hazardous conditions in the home, without proper safeguard.
16. Abandonment - this refers to a child who has been deserted by a parent whose present whereabouts are unknown and who apparently has no intention of returning to assume parental responsibilities.

APPENDIX E

INTERVIEW SURVEY

A. Introduction

Structured interviews were conducted with a sample of foster parents, foster children, and agency caseworkers. Foster homes in three agencies (two voluntary and one public) were randomly selected and separate interviews were arranged with the foster mother and one foster child (if aged seven years or older). Where possible, caseworkers assigned to the homes in the research sample were interviewed. However, caseworkers were not informed as to what homes participated in the study nor were they asked questions about a particular home. In all, interviews included 29 pairs* of foster mothers and foster children, 11 foster mothers who care for infants or toddlers, and 12 caseworkers. The interviews consisted of closed and open-ended questions with a predominance of the latter.

Pairs of foster mothers and foster children were interviewed in order to elicit their perceptions and attitudes concerning aspects of foster family care. Foster mothers who care for infants and toddlers were selected for interviews on the assumption that care of younger children imposes special demands on foster parents. Their foster mothers were asked a series of questions pertaining to the care of infants and toddlers.

This section will describe the scope of the interview survey and procedures employed by the researchers and report on the demographic characteristics of foster families. In addition, quantitative and qualitative information on the methods of discipline used in foster homes is presented.

A more comprehensive report on the full scope of the interview survey is forthcoming. Areas to be discussed include: the relationships between foster parents, children and agencies; role perceptions of self and other system participants; support and service systems; training; and parental visiting.

B. Scope of the Interviews

Foster mothers were asked questions in three major areas: 1) foster parent and home characteristics (e.g., demographic information, history of caring for foster and other children, reasons for becoming a foster parent); 2) relationship with

* An additional mother-child paired interview was scheduled. However, on the day of the interview the child was not at home. Only the mother was interviewed.

provider agency (e.g., orientation and training received and desired, frequency and helpfulness of contact with agency, guidance and services offered, information given about the child and his/her special needs, involvement in agency plans for child); 3) relationship with foster child (e.g., knowledge and understanding of special needs/problems, satisfactions and difficulties encountered in caring for foster children, attitudes and practices regarding discipline).

Questions posed to foster children were fewer than, but similar to, those asked of foster mothers. Children responded to questions concerning 1) their foster care experience (past and current); 2) relationships with foster family (parents and other children); 3) frequency and type of contact with social workers and natural parents; and 4) discipline methods used by foster parents and their attitudes towards disciplinary practices in the home.

Caseworkers replied to questions which included: 1) a general description of their caseloads; 2) orientation and training received and desired for themselves and foster parents; 3) casework functions; 4) frequency and nature of home visits; and 5) awareness of the disciplinary practices of foster parents.

C. Research Procedures

Based on a pilot conducted through the cooperation of one voluntary agency, research instruments and procedures were tested and revised. Initiation of the study with the three sample agencies followed. Research procedures are outlined below.

Meetings with administrators in the three agencies were held to apprise them of the purpose of the research project and to enlist their cooperation. In addition, staff meetings were scheduled to inform caseworkers about the scope and methods of the research so that they could be prepared in the event a foster parent contacted them concerning participation in the study.

Agencies provided the researchers with lists of caseworkers and foster homes under their supervision. First caseworkers were sampled and then homes were randomly drawn from their respective caseloads. Criteria established for foster mother-child interviews stipulated that the child be in care in the current home for ninety days or more and be at least seven years of age. Interviews with foster mothers who care for younger children required that there be at least one child in the home three years of age or less who had lived there for at least ninety days.

In each of the three agencies, foster parents were sent a letter signed by the executive director supporting the study and encouraging the voluntary participation of foster parents and children. This letter was accompanied by one from the Vera Institute explaining the project in greater detail. Correspondence was handled by the researchers to protect the anonymity of research subjects. Telephone calls were made to foster mothers to answer questions and schedule interview appointments. The researchers did not have contact with children prior to the interview date but instead communicated through the foster mother concerning the child's willingness to participate. Before conducting interviews with foster mothers, foster children, and caseworkers, the interviewers explained the nature and purpose of the research, the possible risks of participating, and the procedures for protecting confidentiality of information provided to the researchers. The subjects were then asked to sign a document indicating their understanding and their consent. These procedures for protecting human subjects were reviewed and approved by Vera's Institutional Review Board.

Thirty-six percent of the contacted foster families refused to participate. The reasons given for declining to be interviewed varied and included difficult period for family and child due to termination of parental rights or adoption; family away on vacation; child away at camp; death in the family; child no longer in the home; and uninterested without explanation.

Nine of the twelve caseworkers were interviewed at their respective agencies. The remaining three were seen at the Vera Institute. Excluding one foster mother and child who preferred coming to the researchers' office, all interviews with foster parents and children were conducted in the home. For the foster mother-child pairs, two researchers visited the home and in separate interviews one spoke with the mother and the other with the child.

Interviews with caseworkers and foster mothers averaged two hours, with some of the former lasting as long as 4 hours. Childrens' interviews tended to take one hour, although several interviews with older adolescents were of greater duration. The children were asked fewer questions than the adults. This, along with the younger age and reluctance of many of the children to share detailed information with the researchers, accounted for the shorter length of these interviews.

D. Quantitative Data

1. Foster Home Characteristics

The majority of the 41 homes in the interview sample are general foster homes (78%). Kinship homes represent 12 percent of the sample, pre-adoptive seven percent, and special study two percent.

Most of the sample foster families (76%) contain two to three adults (mean number of adults is 2.4). In several of these cases, some of the adults are older children or other persons over 18 years of age who have been raised by foster parents. The sample foster families have a mean or less than one natural child living in the home. Sixty-eight percent of the foster homes do not have any natural children under eighteen years of age. There are one to two foster children in 65 percent of the sample foster homes; three to four foster children in 25 percent of the homes (mean number of foster children is 2.4). Slightly over one-fourth of the foster families have adopted children (mean number of adopted children is 1.5 in the homes that have adopted children). Forty-four percent of the foster families live in rented apartments, of which two-thirds are public housing facilities. Private home owners represent 56 percent of the sample.

2. Foster Mother Characteristics

The mean age of the 41 foster mothers interviewed is 48 years. Forty six percent are black; 32 percent white, and 22 percent Hispanic. The mean length of time they have served in the foster care system is ten years. Most of the mothers (80%) are currently married, and the mean length of their marriage is 24 years. Twenty percent of the sample foster homes are headed by single foster mothers.

Nineteen percent (6 out of 32) of the married foster mothers and 25 percent (2 out of 8) of the single foster mothers are employed. Five mothers work thirty hours or more per week and three work twenty-one hours or less a week.

More than half of the foster mothers (54%) have less than a high school education; 22 percent have graduated from high school; 20 percent have some college education, and two foster mothers (5%) have a graduate degree.

3. Foster Father Characteristics

The mean age of the 32 foster fathers in the interview sample is 50 years. Most of them (91%) are employed; two (6%) are retired, and one (3%) is disabled. A majority of the fathers (62%) graduated from high school. Of these, several have some college education, and a few have a college degree or have done some graduate work.

4. Representativeness of Interview Sample

With respect to a number of demographic variables, the 41 foster families in the interview sample do not appear dramatically different from those in Fanshel's recent study of New York City children placed in 386 foster homes (Fanshel, 1979). As Table A-1

illustrates, in the aggregate, the foster parents in the interview sample are slightly older. The interview sample has a higher proportion of foster mothers who are white and a lower proportion who are Hispanics or black. As compared with Fanshel's study, a higher proportion of the interviewed foster mothers reported that they had received less than a high school education. The degree of foster father's education reported by the interviewed foster mothers was higher: 31% of the foster fathers had academic education beyond high school, as compared with 16% in Fanshel's study. The most striking difference between the two samples is foster care experience. The foster parents in the interview sample had been foster parents for a mean of 10 years. The foster parents in Fanshel's study had spent a mean of six years with their agency.*

* These two figures are not strictly comparable, since foster parents may serve in more than one agency. It is assumed, however, that the data concerning experience reflect a real difference between the two samples in regard to this variable.

Table A-1

Comparison of Vera's Interview Sample with Fanshel's Study, Foster Children and Their Foster Parents (1979)

	<u>Fanshel</u>	<u>Vera</u>
<u>Foster Family Status</u>		
Two Parent	82%	80%
Single Parent	18%	20%
<u>Mean Number of Foster Children</u>	2.0	2.4
<u>Mean Length of Time as Foster Parents</u>	6 years (with agency)	10 years
<u>Mean Age</u>		
Foster Mothers	46.1	47.5
Foster Fathers	47.9	50.1
<u>Ethnicity of Foster Mother</u>		
Black	54%	46%
Hispanic	25%	22%
White	21%	32%
<u>Education of Foster Mother</u>		
Less than high school	44%	54%
High school graduate	42%	22%
Some college	9%	20%
College graduate	2%	--
Graduate degree	--	5%
Unknown	4%	--
<u>Education of Foster Father</u>		
Less than high school	46%	28%
High school graduate	33%	31%
Some college	9%	22%
College graduate	7%	6%
Graduate degree	--	3%
Unknown	4%	9%

5. Methods of Discipline According to Foster Parents

a. General Findings

The methods of discipline most frequently reported by the 41 foster mothers interviewed are: talking (93%), restricting privileges (68%), and spanking (39%). Less frequently reported discipline methods include: sending child to his/her bedroom (20%) and hitting with an object (15%). Punishment associated with toilet training was reported in two cases (5%). Other kinds of disciplinary methods used include: being sent to bed early, additional chores around the house, reducing the allowance, benching, standing in a corner, and, for young children, taking away toys. One mother indicated that she threatened, as a disciplinary measure, to prohibit her foster son from seeing his natural mother.

Talking and restricting privileges were also reported by the 29 interviewed foster children as the most frequent means of discipline used by their foster parents (82% of the children reported being talked to, and 50% reported having their privileges restricted). The children, however, reported a higher frequency of yelling (50% reported by children vs 37% reported by mothers), of being sent early to bed (11% vs 2% reported by mothers). The frequency with which children reported being spanked is lower than that stated by the mothers (27% vs 39% reported by mothers). Two foster children stated that they have been threatened with removal from the home as a means of discipline.

b. Physical Methods of Discipline

Slightly less than half (49%) of the 41 foster mothers interviewed reported resorting to physical means to discipline their foster children. These measures involved either spanking or hitting with an object. The majority of the foster mothers using physical punishment reported spanking only (70%); nearly one-third (30%) reported hitting their children with an object. Some of the objects included: belt, wooden spoon, and paint stirrer.

Thirteen of the interviewed foster children (46%) reported having been disciplined by physical means. Five of these children said they were only spanked; eight reported having been spanked and hit with an object. Some of the objects mentioned by these children were: belt, spoon, ruler, shoes, and slippers.

The use of physical means of discipline (spanking or hitting with object) was reported in 13 of the 29 interviews which included the foster mothers and foster children. The use of physical means of discipline was cited by the foster mother, or

by the child, or by both. There is a discrepancy between the mothers' and the children's reports on the use of these disciplinary methods. In four of the 13 interviews, the mothers did not report hitting or spanking as a method of discipline, while their children reported the opposite. Three of the 13 interviewed foster mothers reported spanking only while their children reported that they were also hit with an object. Conversely, in two of the 13 paired interviews foster mothers reported using physical means of discipline while their children did not mention it, and two other foster mothers reported hitting with an object while their children reported spanking only.

APPENDIX F

FOSTER PARENT ORIENTATION AND TRAINING

A. Questionnaire Findings

This section describes results of a questionnaire mailed to 46 agencies that provide foster family care for New York City children. Forty-two completed questionnaires were returned, which constitutes a response rate of 91%.

All the responding agencies stated that they provide orientation for new foster parents. Thirty-nine agencies provide individual orientation sessions, usually conducted by the homefinder (31 agencies) or the caseworker supervising the foster home (22 agencies). In all but one agency, both foster mothers and foster fathers are present at the orientation, and in 21 agencies other members of the foster family participate in orientation.

According to the questionnaire responses, all 39 agencies providing individual orientation cover the following topics in these sessions: (1) agency policies and procedures; (2) the role and responsibilities of foster parents; (3) the role and responsibilities of caseworkers; (4) problems or special needs of foster children; (5) discipline of foster children; (6) supervision of foster children; (7) regulations concerning abuse and maltreatment of foster children; and (8) parental visiting. More than four-fifths of the agencies provided orientation in the following additional topics: (9) techniques of child care; (10) child development; (11) medical care and treatment services; (12) discharge planning; and (13) legal aspects of foster care. In most of the agencies, up to ten hours of orientation is provided (14 agencies less than five hours and 17 agencies six to ten hours). Five agencies provide between ten and 25 hours of individual orientation.

Thirty-two agencies (76%) stated that they provide group orientation sessions with foster parents, and for 28 of these agencies this group orientation is mandatory. Group orientation sessions are conducted mostly by caseworkers, homefinders, or social work supervisors. In 16 agencies, other professionals such as psychologists, psychiatrists, and medical staff assist in conducting group orientation; and in 13 agencies experienced foster parents are involved in conducting group orientation. In all 32 agencies, both foster mothers and foster fathers participate in group orientation. More than 60 percent of the agencies providing group orientation indicated that orientation covers each of the 13 topics listed above.

The hours of group orientation range from less than five to more than 20. Twelve agencies provide less than five hours of group orientation and another 12 provide between six and ten hours.

Thus for three quarters of the agencies providing group orientation, these sessions extend for a total of ten hours or less.

Formal, classroom training for new foster parents is offered by a much smaller proportion of the agencies: thirteen of 42 agencies (31%). This training is mandatory in seven of the 13 agencies. Social workers (10 agencies), other professionals (7 agencies), and experienced foster parents (3 agencies) conduct the classroom training sessions. In five agencies, both foster parents and agency caseworkers participate in this training. Classroom training is mostly offered at the agency office and in two agencies at a college of university. Most of the agencies providing classroom training cover the 13 topics listed above. Hours of classroom training vary, with most programs extending for 15 hours or less.

In-service training for foster parents is provided by 33 of the 42 responding agencies (77%). This training is mandatory in only 13 of these agencies. In-service training is conducted by the same type of trainers and covers the same topics as training for prospective or new foster parents.

Agencies were asked to rate the extent and quality of their orientation and training programs. Twenty-seven agencies rated their orientation/training as sufficient (64%) and 15 as insufficient (36%). With respect to quality, 23 agencies rated their orientation/training as excellent (55%), 15 as adequate (36%), and 4 as inadequate (10%).

Agencies also were asked to indicate their position regarding whether foster parent training should be mandatory. Forty of the agencies (95%) stated that training should be mandatory for new foster parents; and 32 of the agencies (76%) indicated that in-service training should be mandatory for all foster parents. A number of agencies noted, however, that they foresee problems in securing attendance for in-service foster parent training.

B. Discussion and Recommendations

The questionnaire results indicate that some orientation and training of foster parents is provided by New York City foster care agencies. It appears from the responses that nearly all agencies would favor making pre-service training a mandatory feature of foster family care and most would support in-service training. The findings thus offer some support for the recommendations concerning foster parent training presented in Chapter V.

The findings suggest some areas of foster parent training that need further development.* Classroom training is offered by only 13 of the 42 agencies that responded to the questionnaire. Since the foster parent role is viewed increasingly as that of a professional caretaker who needs special skills and knowledge to care for and promote the development of foster children, greater emphasis should be placed on formal training that follows established curricula. Accordingly, opportunities for formal training should be extended.

In-service training is offered by most agencies, but is required in only 13 agencies according to the questionnaire results. Several respondents commented on difficulties that agencies have experienced in obtaining participation for in-service foster parent training. Incentives for increasing the participation in foster parent training are discussed in Chapter V, above.

The findings of the CIU Survey and the interview survey regarding the use of physical punishment suggest that agency orientation and training have not been successful in the area of discipline, even though this is reported as a topic covered in nearly all orientation and training programs. It is recommended that all foster parents receive training in understanding and managing the behavior of foster children.

Agencies currently are not reimbursed for foster parent training. If voluntary agencies are required to provide foster parent training, as we have recommended, public agencies responsible for foster care — SSC and NYS DSS — should make this a reimbursable item of agency expenditures.

* A questionnaire survey of this sort, of course, cannot provide a formal evaluation of foster parent training in New York City.

APPENDIX G

INCIDENCE OF ABUSE AND MALTREATMENT

The incidence of indicated child abuse and maltreatment in New York City foster family care and in natural families cannot be determined exactly on the basis of available data. Estimates of comparative incidence involving foster families and natural families are presented below. The steps involved in the various calculations are indicated in detail in order to show the basis for the incidence estimates and the limitations in the available data.

The CIU maintains monthly statistical data on case activity. In 1979, 305 cases of alleged abuse or maltreatment of New York City children placed in foster homes were reported; as of March 16, 1980, 100* of these had been determined indicated. (Three cases were not completed.) The CIU data report the number of cases investigated but not the number of children identified as victims. This number can be estimated based on data in the CIU Survey. The mean number of victims in the CIU Survey was 1.7; accordingly, it can be estimated that 170 children were involved as victims in the 100 indicated cases opened in the calendar year 1979. When this number is divided by the total number of children exposed to foster home care in 1979, an estimate of incidence can be obtained. Relevant CWIS data are available for the year ending June 30, 1979 (CWIS, 1979). During this year, 22,075 New York City children were exposed to foster home care (17,454 in care as of July 1, 1978 plus 4,621 admitted during the year ending June 30, 1979). The estimate for the incidence of indicated abuse and maltreatment of New York City children placed in foster homes is 170 divided by 22,075, which equals .77% or approximately 8 in 1,000.

Comparison of the incidence of indicated abuse and maltreatment of children in foster home care with that of all children in New York City must rely on further estimates, since the population in 1979 is unknown. As of 1976, the total population of children in New York City under 18 years of age was 1,876,956 (Lash, Sigal, and Dudzinski, 1980, Appendix Table 3). During 1979, 9,209 New York City children were identified as victims of indicated abuse or maltreatment (NYS DSS, 1980, Table 13). The incidence of indicated abuse or maltreatment of all New York City children is estimated to be .49% or approximately 5 in 1,000 (9,209 divided by 1,876,956).

*This figure differs from the CIU Survey total of 73 cases because the CIU Survey involved all cases that were determined indicated in 1979 (some of which were reported in 1978), and some case records were not available at the time of data collection. The CIU statistical data concern all cases opened in 1979.

Does the higher estimated incidence of indicated abuse or maltreatment in foster home care mean that the problem is more extensive in foster homes than in natural homes? Because foster families, unlike most natural families, are monitored by agencies whose staff are required by law to report suspected cases of abuse or maltreatment, it can be hypothesized that foster families are more likely to be reported and investigated than natural families. This is borne out by available data.

As of June 19, 1979, there were 8,274 active, certified foster homes for New York City children, according to data supplied by SSC's Office of Program Planning. As mentioned above, 305 cases of alleged abuse or maltreatment involving children placed in foster homes were reported in 1979. The estimated incidence of reporting for foster families therefore equals 3.7%.* According to NYS DSS data (1980, Table 2), there were 18,509 reported cases of abuse or maltreatment in New York City in 1979. The number of families having children under 18 years of age in New York City in 1979 is unknown, but in 1976 the estimated number was 991,850 (Lash et. al., 1980, Appendix Table 21). The estimated incidence of reported abuse or maltreatment in all families therefore equals 1.9%.**

The incidence of indicated abuse and maltreatment of children placed in foster homes appears somewhat larger than that in all New York City families (.77% in foster families vs .49% in all families); however, the incidence of reporting is greater in the case of foster families (3.7% vs 1.9%). It must be emphasized that the above calculations are uncertain, since they involve estimates, which may introduce error into the results. In addition, they reflect only reported cases, not the full volume of activity that may qualify as abuse or maltreatment. Accordingly, it cannot be determined with confidence whether the problem of child abuse and maltreatment is greater in extent in foster family care than in natural families. In any case, the existence of child mistreatment in the system of foster care constitutes a serious problem that demands attention, corrective action, and programmatic efforts to improve the protection of foster children.

* It should be noted that this estimate slightly overstates the rate of reporting, since a small proportion of these cases involved allegations against natural parents of foster children (for abuse or maltreatment during visits).

** In view of the relatively small number of foster families in New York City, subtraction of foster families from the calculation, to compare foster families with natural families, does not alter the results.

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