

Allegations As A Resource Parent

Allegations that make a resource parent the subject of a child abuse/neglect investigation are not uncommon. **An allegation does not mean that you have done something wrong.** This article and the links included may help you prepare and survive this experience.

What is an Allegation?

Our child welfare system is based on allegations. Someone feels that a child is potentially being harmed and reports that to the Public Children Services Agency. Thus, an allegation occurs. With the intent to protect children from child abuse and neglect, the Ohio legislature created "[Mandated Reporters](#)" that require many people to report what they see as indications of abuse or be threatened with loss of their own jobs or licensure.



This process of ensuring safety for Ohio's children, filters down to everyone involved. Child caseworkers as well as resource parents become subjects of allegations. Being accused of child abuse or neglect is often one of the most difficult experiences of being a foster, adoptive, or kinship family.

Why do Allegations Occur in Resource Families?

Unfortunately, abuse or neglect, while minimal (less than 1%) does occur in resource families. Since agency personnel can't monitor our homes at all times, when a child, parent, school or community person suggests that something happening in the home is not clear, an allegation begins. Here are some typical reasons that allegations occur:

- **Resource parents have a stricter standard of care.** The laws and rules governing what is expected of us with our children-in-care surpass what is expected of us with our biological children. Sometimes, we forget and simply do something that is not allowed. *For example, leaving a visiting relative who might have issues that would show up on a background check supervising our children-in-care while we go grocery shopping is not allowed. If an unexpected problem occurs, there may be an allegation.*
- **Mandated reporting** means that a child going to school with bruises from a fall or running into a door, might get reported to the child welfare system. *Children-in-care may be very visible to people in the community who, in good faith, may misjudge a situation and make a report in situations where no maltreatment has occurred.*
- **Retention rate of foster families is low and training on the issues is inadequate.** Insufficient training and experience on how to best meet the complicated needs of traumatized children can lead to limited understanding and skill on the part of foster parents, and, consequently, inappropriate responses to difficult behavior of the child. The ongoing need to help families be aware of the reality of allegations goes beyond training and workshops. *As one trainer said, "I always thought in the back of my mind that if an allegation was made the parent had done something wrong – until it happened to me!"*
- **Stress in parenting children-in-care is high.** Caring for children with histories of trauma can be stressful. A big load, without adequate support, is often placed on the family.

The struggle to fulfill all of the needs of the children and the mandates of the agency may lead to using a technique that is viewed as abuse. *For example, if children are fighting and you break up the fight by restraining one child, that child may then complain that you have abused them.*

- **What is expected from the resource parent is not clear.** Because there are over 200 agencies that supervise resource parents in Ohio, the interpretation of how a family is to react to a certain situation that is based on a rule is often cloudy and unclear. *Agencies have different interpretations of what foster parents can do under the [Normalcy Law](#).*
- **The need for care is so great that a good home becomes overloaded with a number of children who are difficult to manage.** Families may take on a larger group of children than they have the resources to support. *The need to keep siblings together, the lack of training on working with previous sibling roles, the trauma present in each child and the lack of adequate outside support may bring the family to a point of not providing adequate care.*
- **Children-in-Care or Primary Families may think it is a way for children to get back home.** Remember that many children come into care because their family was faced with an allegation. *The Primary Parents know the system and how to use this as a technique for removal, thinking that the child may then be returned to them or that they are getting the child out of a dangerous situation.*
- **Children may have difficulties distinguishing, to others, the caregivers who may have abused them.** An effort to talk about past abuse may be interpreted as abuse that is occurring in the present with the current foster parents. *This may happen at a counseling session or as a child has moved on to an adoptive home.*
- **Children may report abuse because of their trauma.** Children, due to past abuse, may feel threatened by a well-intended resource parent's behavior. *A child who has been sexually abused may be uncomfortable with normal expressions of affection in the resource family. A child may misinterpret the caregiver's actions.*
- **Child Welfare Agencies are often concerned about ending up on the front page of a news story.** Agencies with responsibility for the care or custody of children may be more likely to file complaints on borderline situations out of concern for liability and the risk of negative public perception if they do not report.



When can you expect an Allegation

- **Any time.** Resource parents have found themselves with an allegation during their first week of care and others have cared for children for twenty years without an allegation. On the average, if you foster for five years you have a 50% chance of having to deal with an allegation.
- **If a poor match between child family and resource family has been made.** Making ill-advised placements where the match between the child's needs and the parents' capacities and resources are poor leads to stress that may mean the use of a parenting method that raises an allegation.

- **Too many children are in the home.** When the number of children in the home is higher than the parent has the ability to know what is happening in each corner of the home, incidents are more likely to happen that lead to an allegation.
- **Case Worker is absent from regular home contact.** The case worker staying on top of the style and general management of the home will help the parent recognize signs of child behaviors that may lead to an allegation.
- **Resource Family lives in Isolation.** Being a part of parent support groups, having neighbors that visit regularly, and having regular outings with understanding family members provides the perspectives of additional people who can see and look out for signs of behaviors that may get out of control.

How to Deal with the Process of the Allegation

- **Your attitude about allegations begins BEFORE an allegation happens to you.**

You might begin with expecting an allegation – by a community person, by your children-in-care, by your case manager, etc. The attitude by the system is often that it is better to apologize for a false accusation than to ignore a child in need of help – this gives parents fewer rights than the accuser. It is best to check it out.

Children are not born knowing right from wrong. Teens may not be taking into consideration the consequences of their actions. They just want to solve the immediate problem. The absolute statement that “children do not lie about these things” is incorrect. Today’s children are highly sexualized by what they see and know things we can’t imagine at a very young age. When they repeat items, it doesn’t mean that it is always true.

All allegations must be investigated. Your relationship with the agency will not be your protection. Don’t allow yourself to get loose with your words, by saying something like, “I could kill that kid,” when sharing your frustrations. The circumstances of each allegation are different and the way each allegation is investigated may differ from county to county, from worker to worker, and from time to time.

Although most allegations are difficult, an allegation of sexual abuse of a child-in-care is the hardest allegation to deal with emotionally.

- **Who will be Involved in the Investigation?** As a foster parent, you will have a [third-party investigation](#). This means that someone other than your caseworker or anyone involved with you and the child-in-care will do the work of the investigation. It might be a special unit in the Public Children Services Agency, a neighboring Children Services unit or the police/sheriff. An investigation must follow set rules. Some individuals are not permitted to talk with you or your family about the allegation while the investigation is ongoing. This lack of information and support can leave families feeling isolated, discouraged, and vulnerable.
- **What happens during an Investigation?** When your family is the subject of an investigation, you have the right to know the concern. It may take several days before someone official can let you know. You will not be told who raised the issue.

The reality is that your family will feel very vulnerable any time you are the subject of an investigation. You have no authority over the access investigators have to the children in

your care. All children-in-care (as well as your permanent children) may be interviewed. You will not be allowed to be present for the interviews. You can, however, ask that an adult supporter for the children-in-care be present. This person would not be allowed to share any information with you about the interview.

Your neighbors, school officials, or anyone else related to the allegation may be interviewed.

- **Will children be moved during the Investigation?** Maybe. Depending upon the allegation, the children-in-care may need to be moved to a respite home while the investigation is in progress. In all cases, a Safety Plan for the children-in-care will need to be put in place. While you may request visitation with any children (foster or pre-adoptive) removed from your home, this decision about visitation will be at the discretion of the agency. Agencies may allow supervised visits to ensure that the child does not feel abandoned during the investigation.
- **How long will the Investigation last?** An investigation will last anywhere from 1 to 60 days (This includes time to write up the report). Because of the case load carried by children services agencies, the time generally runs longer than is helpful for family cohesion.
- **How am I notified of the outcome?** You will receive a letter with the findings of the investigation. At the end of an investigation, the allegation will be determined to be:
 - Substantiated - meaning that investigators found enough evidence to support the allegation;
 - Indicated - meaning that investigators have not found enough evidence to substantiate an allegation, but suspect that the child may have been abused or neglected;
 - Unsubstantiated - meaning they did not find evidence of the allegation.

How do I appeal a finding in an Allegation?

If you disagree with the finding of an allegation you may file an appeal through the [Children Services Appeal Process](#). This process will be outlined in your letter of finding. This appeal ends with the administration of the local Children Services Agency. A reversal in the finding may be made if one of three things happened:

- (1) The report disposition was made in error.
- (2) The appellant did not engage in conduct constituting child abuse or neglect as defined in sections 2151.03 and 2151.031 of the Ohio Revised Code.
- (3) The report disposition is not supported by the totality of the information presented by the appellant or the PCSA or contained in the case record.

Under the ODJFS (Ohio Dept. of Job & Family Services) rules, you are not entitled to a hearing at the state level unless the agency is working to remove your license.

Should I hire an Attorney if I am under Investigation?

Getting an attorney involved in the early stages of an investigation will slow down the process of the investigation. Once an attorney is involved, Children Services will also bring their legal

department into the process and things get delayed. If children are removed, this extension of time further delays the family getting back to normal.

If your finding comes back as Indicated or Substantiated and you disagree with the finding and want to appeal the process, it might be beneficial to seek out a lawyer who is skilled in Family Law and knows the processes of the Child Welfare System.

Since your time frame to appeal is generally limited, you may want to seek out a recommendation for a lawyer with these skills during the investigation but not use them unless necessary.

One More Thing!!!

Unfortunately, there is one other concern for foster parents in an allegation. The foster care agency may be required to have a separate interview with you to see if any of the many rules involved with foster care were violated in relationship to the allegation. This may feel like another attack after having completed the investigation with the county. If you are able to treat it like a learning event, it will go down easier.



The agency will look at any rules in question with you and may write up a “Corrective Action Plan” for you to complete. This may involve a specific training that they ask you to complete or a specific set of actions that they want you to put into your home routine. The state rule that requires this process with the foster care agency is found here: [Corrective Action Plan](#)

Check Out Our Following Articles for more Information.

How to Prevent or Minimize the Risk of an Allegation?

What Effects Will an Allegation Have on Me and My Family?

What Survival Strategies Will Help?

How can I help my Agency Assist our Families?