

<b>OCFP</b> <b>Office</b> <b>of</b> <b>Child and</b> <b>Family</b> <b>Policy</b>	<b>Department of Children and Family Services</b>	
	<b>Index No: 98-37</b>	<b>Issuance Date: December 18, 1998</b>
	<b>Origin of Request: Central Office of Licensing</b>	
	<b>Distribution: Licensing Staff, Administrative Staff, Office of Child and Family Policy (A,L,P)</b>	
	<b>Key Words: 89 IAC 402, Licensing Standards for Foster Family Homes, Corporal Punishment, Restraint of a Child</b>	
	<b>Approved by:</b>	

### Interpretation

**Applicable To:** Licensing Standards for Foster Family Homes

**Policy Citation:** 402.21(c); No child shall be subjected to corporal punishment, verbal abuse, threats or derogatory remarks about him or his family.

402.21(h): A Child may be temporarily restrained by a person physically holding the child if the child poses a danger to himself or to others.

**Question:** Is placing a bean bag chair over a six year old child=s upper torso considered corporal punishment or a restraint technique?

**Discussion:** The intent of subsection 402.21(h) is that a **person** can hold a child to prevent the child from hurting himself or others. Objects can not be used to restrain a child. A bean bag chair is an object and should not be used in restraint of a child.

The National Health and Safety Performance Standards defines corporal punishment as Apain or suffering inflicted on the body (e.g., spanking)≡. The weight of a bean bag chair with an adult male pushing down on the chair could cause pain or suffering, especially if a child=s limb is in an awkward position under the bean bag chair. An adult would not have the opportunity to know if a child=s limb was pinned in an awkward position if the adult was not holding the child so that all body parts were visible.

Training in restraint techniques are available and should be utilized by a foster parent if restraint is necessary for the control of children in the foster parents care.

Any use of restraints should be reported as an Unusual Incident.

**Response:** Subsection 402.21(h) allows a person to restrain, without mechanical equipment or

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**additional assistance, a child to prevent the child from hurting himself or others. Objects can not be utilized in the restraint process.**