

## **DESTRUCTION OF PROPERTY CAUSED BY FOSTER CHILDREN**

Fortunately, destruction of property by foster children is not a common occurrence. Most acts of destruction are prevented through training, preparation and supervision. Still, despite the best efforts on the part of the Agency and foster caregivers, foster children may be the cause of damage to a foster caregiver's home. The following policy has been adopted for the purpose of assisting foster caregivers in such circumstances.

It must first be understood that some amount of wear and tear to a foster caregiver's home is normal and should be expected, especially when children undergo a separation from their home of origin and experience a new placement in an unfamiliar environment. In addition, foster caregivers are expected to take reasonable precautions regarding their property when taking new children into their homes. Such steps include the following:

- Acquiring and maintaining home insurance
- Safekeeping valuables
- "Child proofing" the home
- Inquiring about the level of risk presented by a child prior to placement
- Providing adequate adult supervision of children.

Protection in the form of homeowner's insurance is the best possible means of addressing the situation. **All foster caregiver's licensed after January 1, 2011 will be required to carry homeowner's or renter's insurance.** Foster caregivers licensed prior to January 1, 2011 who already have homeowner's insurance will be required to continue to carry and maintain their insurance. Foster caregivers licensed prior to January 1, 2011 who do not already have homeowner's insurance and choose not to obtain it will be "grandfathered" into the new policy and sign a Waiver of Liability & Release of Claims Form.

As is age appropriate, if a foster child intentionally damages property in a foster home, it is the responsibility of the foster caregiver to report the damage to the appropriate law enforcement agency and pursue charges at the Juvenile Justice Center. Depending on the circumstances, the child may be ordered to pay restitution to the foster caregiver for the damage he or she caused.

Trumbull County Children Services Board is not responsible for the payment of insurance premiums or deductibles. In addition, the agency is not responsible for paying for any un-reimbursed losses or depreciation costs.

### **DOCUMENTING A DAMAGE CLAIM**

The following procedures should be used in response to reported incidents of damage and destruction caused by foster children.

#### **1. Gathering of Facts**

Incidents must be reported to your insurer according to your insurance policy. In addition, an

agency Critical Incident Report form must be completed within 72 hours of the occurrence. It is recommended that the foster caregivers immediately place in writing the basic facts of the situation, such as:

- The date and time of the incident.
- Summary of the circumstances.
- Names of witnesses and their statements.
- Pictures of the damages.
- Copy of the police report.

## **2. Determine if the foster child was responsible for the damages**

A determination of the responsibility of a foster child should be made jointly by an agency staff member and the foster caregiver. If the incident is of a more serious nature, involving a criminal nature or intent, the local police should be involved in the investigation of the incident. The following points can assist in making this determination:

- Did the child admit to causing the damages?
- Can any witnesses provide a statement?
- Was the act deliberate or accidental?
- Does the child show remorse?
- Should charges be filed?
- Was there adequate adult supervision?

## **3. Complete a Critical Incident Report**

If it is determined that the foster child is responsible for excessive damages or destruction to property, the foster caregiver is responsible for completing the required Critical Incident Report regarding the situation. A caseworker can assist in this process.

You will need to determine the cost or extent of the damages. The original or replacement value of personal or real property should not be used in determining the amount of loss. The fully depreciated or fair market value of property at the time the loss occurred is the appropriate basis for valuation.

Prior to completing any repairs, it is recommended that you seek prior approval through your insurer. As a general rule, you should obtain at least one written estimate for damages valued under \$200.00 and three estimates of repair for damages exceeding \$200.00. Also, you should keep receipts for any items purchased to replace or repair damaged items.

## **4. Foster Caregiver Damage Committee**

After a thorough examination of the facts has been made and the foregoing procedures have been followed, a foster caregiver may request review by the Foster Caregiver Damage Committee. A memo will be drafted by the resource caseworker for review by the committee. The memo will recite the facts surrounding the incident and include the Critical Incident Report. Other supporting documentation, including a copy of your insurance policy, estimates for repair, and receipts must be included. The Foster Caregiver Damage Committee is made up of Agency staff members and

foster caregiver representatives. The Committee will review the Critical Incident Reports, along with the supporting documentation, and take further action as needed. A limited budget is available to the Committee and in some circumstances, the Committee may approve payment for un-reimbursed property damage.

Effective	2005	DB/PJJ/mn
Revised	August 1, 2009	CLM
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