



DIVISION OF FAMILY AND CHILDREN SERVICES

Lack of Supervision Reference Guide

This tool was developed to assist staff in determining if a lack of supervision exists across all stages in the Child Welfare Services continuum. (Intake, Family Support, Investigations, Family Preservation, and Permanency [including foster homes])

In Georgia, neglect is defined as:

1. The failure to provide proper parental care or control, subsistence, education as required by law or other care or control necessary for a child's physical, mental or emotional health or morals; or
2. The failure to provide a child with adequate supervision necessary for such child's well-being; or
3. The abandonment of a child by his or her parent, guardian or legal custodian.

NOTE: Neglect may be evidenced by repeated events or a single event that indicates a present danger situation or an impending danger safety threat. Neglect may also be found when there is physical injury to a child that occurs as a result of a lack of appropriate protective actions being taken by a caregiver.

DFCS supports the following guidelines when determining if a child is old enough and mature enough to be left without adult supervision:

For children in parental custody:

1. Children (8) eight years or younger should not be left alone;
2. Children between the ages of (9) nine years and (12) twelve years, based on level of maturity, may be left alone for brief (less than two hours) periods of time; and
3. Children (13) thirteen years and older, who are at an adequate level of maturity, may be left alone and may perform the role of babysitter, as authorized by the parent, for up to twelve hours.

EXCEPTIONS

There are circumstances in which children who are within an acceptable age range may not possess the skills or have the maturity level to be without adult supervision. The opposite may also be true, such that a child younger than 13 exhibits an exceptional level of maturity. Additionally, those children with special emotional, cognitive or behavioral needs may fall outside the parameters of the age ranges outlined above. When these situations occur, they must be assessed in conjunction with a Supervisor on a case-by-case basis when making a determination concerning a lack of appropriate supervision.

Examples of these exceptions include but are not limited to:

1. An older child with a special condition or disability who is left alone or as a caregiver for younger children; or
2. A child younger than 13 years, who exhibits exceptional maturity and has participated in a course on babysitting is left alone or to care for other children.

NOTE: The investigative case manager must verify that the child participated in the skills class.

For children in Foster Care(Foster Home Setting)

Children in foster care who have experienced abuse or neglect may require a higher level of supervision than children who have not experienced maltreatment. Conversely, DFCS also has a responsibility to move children in foster care toward independence. Therefore, while DFCS will allow children in foster care to be home alone, the acceptable age where this can occur is different than that of children who are not in foster care. As such, the following rules apply to children in foster care:

1. Children in DFCS custody are not permitted to babysit;
2. Reliable and competent youth (14) fourteen years and older may be left under their own supervision under certain circumstances that have been previously agreed upon and documented by the Social Services Case Manager, Supervisor, and placement provider;
3. Youth who are 14 and older may be eligible for the Independent Living Program (ILP) and the development of a Graduated Independence Plan (GIP) that will allow the youth to engage in unsupervised age appropriate activities. The GIP must be developed in conjunction with the youth, the youth's parent/caregiver (when applicable), SSCM, Supervisor, and placement provider.

Any decision to allow a child in foster care regardless of his or her age to be unsupervised or to participate in a GIP must be made in consultation with a Supervisor and should be determined on a case-by-case-basis.

Factors to Consider for Children in Parental Custody and Foster Care Related to Supervision

The following circumstances should be assessed when determining if a child is responsible enough to be without adult supervision. These circumstances are applicable for both children who are in the custody of their parents as well as children in foster care:

1. Does the child know the emergency plan for the family;
2. Does the child know the caregivers phone numbers (work and home);
3. Does the child have access to the phone numbers of nearby relatives, neighbors or friends;
4. Can the child demonstrate the plan and recite the numbers;
5. What is the availability of the parent during this time;
6. Are there environmental factors that add impending dangers to the situation (firearm safety, water safety, any other potential hazards);
7. Are there factors that mitigate any potential impending dangers (i.e. supportive/available neighbors);
8. Does the child demonstrate dependability, responsibility and trustworthiness;
9. Does the child have any physical, developmental, genetic, behavioral, emotional, cognitive, or psychiatric disabilities;
10. What is the length of time and the time of day that the child will be left unsupervised;
11. Are there any identified environmental danger(s) (e.g. unattended vehicle, or unrestricted access to a swimming pool);
12. How does the child feel about being left without adult supervision;
13. What are the child's activities while he or she is left unsupervised (e.g. age-appropriate play activities versus accessing pornography on the Internet, vandalism, or shoplifting);
14. Does the child possess the knowledge and understand how to safely answer the telephone and/or door when he or she has been left unsupervised;
15. What is the child's accessibility to his or her parent or to another, specific, informed individual designated to be his or her caregiver;

16. What are the physical, emotional, and mental capabilities of the designated caregiver (e.g. a young baby-sitter or an elderly grandmother asked to care for too many children simultaneously);
17. What is the number, ages, and maturity of the other children under the caregiver's supervision; and
18. Are the responsibilities given to the child age-appropriate?

Additional Factors to Consider for Children In Foster Care Related to Supervision

In addition to the above listed supervision considerations DFCS must also determine if a youth in foster care has the necessary ability to function for short periods of time independent of a caretaker. As such, the following should be considered:

1. The length of time the youth has been in the home;
2. The youth's history of emotional/psychological stability;
3. Does the youth have a history of running away and other status or delinquent offenses;
4. Is there a history of alcohol and substance abuse;
5. The number, gender(s) and relationship of the youth present in the home;
6. Is there any history of the youth acting out sexually;
7. The youth's school performance;
8. The youth's ability to readily access foster parent or other identified person should the need arise;
9. Physical health of the youth;
10. Medical, intellectual, and developmental age of the youth;
11. The youth's current behavior (has there been recent behavioral improvements, successes, or setbacks);
12. What is the youth's comfort level (and desire) to be left without adult supervision?

NOTE: This is NOT an all-inclusive list. The foster parent and Case Manager together must determine the feasibility of leaving older youth alone in the foster home for short periods.

Children in Foster Care (Congregate Care Settings)

Congregate Care settings include group homes, residential facilities, and juvenile detention facilities. In these settings care and supervision is primarily provided by a shift of unrelated caregivers. When placed in a congregate care setting the general guideline is that all children should be supervised at all times. With the introduction of the Graduated Independence Plan (GIP) for youth ages 14-17 and ages 18-21 the rules regarding supervision may be considered in relation to the youth's individualized GIP.

When considering supervision for children in congregate care settings the following areas should be assessed:

1. Is there an adequate number of staff to properly supervise children placed at the facility at all times;
2. What is the Agency's required staff-to-youth ratio; (Use the highest level, when there is a mixed ratio)
3. Was the staff physically located where they were assigned (e.g., was the staff assigned to sit in the hallway in position? Did bed checks occur per protocol?)
4. Is there a plan to "cover" when there are mitigating circumstances that pull the staff member away from their assigned post;
5. Do staffing patterns ensure adults are present during the most vulnerable shift times (early morning, late night, and during shift changes);

6. Does the case documentation by the facility reflect the communication of information regarding child specific behavior during the proceeding shift;
7. Is the Agency accredited;
8. Was staff awake and alert;
9. Does the staff assigned to supervise the child(ren) have the appropriate training and experience to handle the behavioral or other related supervision issues;
10. What are the physical and environmental conditions of the facility;
11. Are required monitoring devices (cameras) functional and being utilized;
12. Are the children's medications locked and inaccessible;
13. Are chemicals and cleaning supplies locked and inaccessible;
14. Are knives or other potential weapons locked and inaccessible;
15. What is the previous history (Child Protective Services and Office of Regulatory Services) on the facility;
16. Are the staff at the facility aware of any specific issues related to the child's history of behavior such as sexual perpetration, runaway, mental limitations, or violence towards others;
17. What are the sleeping arrangements;
18. Has the facility notified DFCS previously of any behavioral issues concerning the child (perpetrator or victim)?

Overall Determinations of Lack of Supervision

It is important to remember when considering whether a caregiver adequately supervised his or her child that some circumstances with children are unpredictable and unavoidable—accidents do happen. Some caregivers may underestimate the supervisory requirements for some children and even the most careful caregiver may experience a brief lapse in supervisory attention, proximity and/ or continuity that leads to a child being in an unsafe situation. In these circumstances, counseling regarding child supervision may be an appropriate initial intervention. Consideration of the caregiver's parental capacities should be carefully considered as a part of the assessment of the family's functioning in relation to the child's functioning and vulnerability.

While it is important to be mindful of the emotional burden a caregiver endures when a child in their care suffers a preventable injury or is exposed to an unsafe situation, DFCS must determine if a pattern of decisions or behaviors by the caregiver placed the child(ren) in the unsafe situation or directly led to the child being injured. When evidence supports that either the child was unsafe and was harmed or in danger of physical, emotional, or psychological harm due to this pattern of behavior, and/or decisions made by the caregiver, a lack of supervision should be substantiated.