

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

M E M O R A N D U M

TO: CHILDREN'S DIVISION AND CONTRACTED STAFF  
FROM: DAVID B. KURT, DIRECTOR  
SUBJECT: CHANGES TO THE DEFINITION OF CARE, CUSTODY, AND CONTROL

DISCUSSION:

The purpose of this memorandum is to inform staff of changes to the statutory definition of care, custody, and control. Effective August 28, 2019 the definition of care, custody, and control is as follows:

Those responsible for the care, custody, and control of the child, includes, but is not limited to:

- The parents or legal guardians of a child;
- Other members of the child's household;
- Those exercising supervision over a child for any part of a twenty-four-hour day;
- Any adult person who has access to the child based on relationship to the parents of the child or members of the child's household or the family;
- Any person who takes control of the child by deception, force, or coercion; or
- School personnel, contractors, and volunteers, if the relationship with the child was established through the school or through school-related activities, even if the alleged abuse or neglect occurred outside of school hours or off school grounds.

The last bullet was added to the definition to provide the Children's Division an enhanced ability to investigate child abuse/neglect when the alleged perpetrator has a relationship with the victim through school.

<b>NECESSARY ACTION</b>	
<ol style="list-style-type: none"> <li>1. Review this memorandum with all Children’s Division staff.</li> <li>2. Review revised Child Welfare Manual chapters as indicated below.</li> <li>3. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>	
<b>PDS CONTACT</b> Kara Wilcox-Bauer 573-526-9707 Kara.B.Wilcox-Bauer@dss.mo.gov	<b>MANAGER CONTACT</b> Tasha Toeppen 573-526-3899 Tasha.Toeppen@dss.mo.gov
<b>CHILD WELFARE MANUAL REVISIONS</b> Section 2, Chapter 5.1.1., Care, Custody, and Control	
<b>FORMS AND INSTRUCTIONS</b> N/A	
<b>REFERENCE DOCUMENTS AND RESOURCES</b> N/A	
<b>RELATED STATUTE</b> <a href="#">Section 210.110, RSMo.</a>	