

WHAT ABOUT REASONABLE & PRUDENT PARENTING? WHAT FOSTER PARENTS SHOULD KNOW

The Reasonable and Prudent Parent Standard reduces barriers for children and foster parents to allow children to have more opportunities to participate in activities and be part of the family and community.

KEY POINTS

- The reasonable and prudent parent standard comes from a law called the “Activities and Experiences in Out-of-Home-Placements Act.” It recognizes that like parents and guardians, caregivers of children in out-of-home care are faced with making the same decisions for children in their care. This law creates a decision-making standard.
- Foster parents are able to make decisions about whether a child can participate in extracurricular, enrichment, social, and cultural activities. For decisions about these kinds of activities, foster parents do not need permission from a caseworker or court, but the decision cannot conflict with a court order or service plan.
- Foster parents are protected from liability if a child is hurt during an activity as long as they have been trained in the standard, make a good faith effort to apply the “reasonable and prudent parent” standard, and it doesn’t conflict with a court order or service plan.
- This protection tells foster parents that they should not let their decisions be driven by fear; they should use their good judgement and skill.

It is important to remember that the foster parent cannot make a decision that conflicts with a court order, visitation order or provisions of a service plan.

WHAT TO CONSIDER WHEN MAKING A DECISION

REMEMBER: *The reasonable and prudent parent standard means making careful and sensible decisions that maintain the health, safety, and best interests of the child while encouraging the child’s emotional and developmental growth.*

- The child's age, maturity and developmental level.
- The potential risk factors and appropriateness of the extracurricular, enrichment, cultural or social activity or experience.
- The best interest of the child, based on information known by the caregiver.
- The child's wishes. (While not determinative, they should be considered.)
- The child's emotional and developmental growth.
- Supporting the child in developing skills to successfully transition to adulthood.
- Providing the child with the most family-like living experience possible.
- Any special needs or accommodations that the child may need to safely participate in the activity.
- The opinions of the birth family of the activity (while not determinative).

HAVE QUESTIONS?

The CUA Case Manager is there to support you in decision-making and finding opportunities for youth activities when needed.

EXAMPLES OF ACTIVITIES A FOSTER PARENT CAN APPROVE (OR DISAPPROVE)

- Community and family events
- Travel outside of the county or jurisdiction
- Camping/hiking
- Sporting activities with use of appropriate protective gear
- Swimming and water activities with appropriate supervision and safety equipment
- Day and sleepover camps
- Field trips and school related activities
- Youth organization activities
- Attending a movie/mall or other social outing with friends
- Spending the night away from the caregiver's home, including with friends and overnight school trips
- Obtaining employment or internships
- Dating
- Travel in cars with peers and/or peer's parents
- Access to a telephone for phone calls with family members and peers
- Access to the internet and social media
- Obtaining a driver's permit and license to operate a car

SPECIAL CIRCUMSTANCES

OVERNIGHT STAYS AND TRAVEL

- Foster parents should inform their foster care provider agency and the child's case manager in advance of any overnight stays or travel, along with travel details and locations being visited.
- All court orders for family visits must be followed. If there is an opportunity for the child to travel or do an activity that conflicts with a court ordered visit, the activity must be scheduled around the visitation, or if the court order allows it, the parties must agree to alternative visitation schedule.

TRAINING REQUIREMENT

- In order to be certified, foster parents are required to complete training on the reasonable and prudent parent standard.
- DHS and/or CUA staff are also required to educate children and youth, at a developmentally appropriate level, about the opportunities afforded to them under the reasonable and prudent parent standard.

OTHER DECISIONS THAT COME UP BUT ARE NOT COVERED BY THE REASONABLE AND PRUDENT PARENT DECISION-MAKING PROCESS

MEDICAL TREATMENT

EDUCATIONAL DECISIONS

RELIGIOUS ACTIVITIES

DECISIONS RELATED TO GROOMING AND HAIR STYLE

- These decisions are governed by other laws, regulations, and policies.
- Biological or adoptive parents, Department of Human Services and Community Umbrella Agency (CUA) staff, attorneys, the courts, and/or youth themselves may have roles in these types of decisions.
- Talk to the child's case manager if you have questions about medical treatment, educational decisions, religious activities, or decisions related to grooming and hair style.

Developed in
partnership with:

