

## Reasonable and Prudent Parenting Standards Frequently Ask Questions (FAQs) Revised 02/09/2016

The FAQs will be continually updated as needed and available at [www.gascore.com](http://www.gascore.com). The “revised by dates” will be changed as the document is updated to indicate that additional FAQs have been added. To add a question, please email [Cedeline.Samson@dhs.ga.gov](mailto:Cedeline.Samson@dhs.ga.gov).

### 1. Why are we doing this?

The Preventing Sex Trafficking and Strengthening Families Act includes more than prevention. It also requires states to provide youth in foster care a **list of their rights**, as well as opportunities to **participate in their case plan**. Furthermore, this bill addresses long term foster care by exploring more options for older youth in care instead of resorting to **permanent foster care**. This bill additionally focuses on opportunities to provide more **normalcy** for youth in care by reducing the amount of red tape a young person faces when seeking to participate in school or community activities.

### 2. Shouldn't we have been doing this all along?

Many foster families are currently supporting youth in the most “normal” ways possible. A lot of foster kids have great opportunities to try new things and be a part of community groups and clubs. However, there are limitations on the amount of time youth can be unsupervised or be in homes of their friends. The best example is youth not being able to go to sleepovers because of the background checks that need to be done. This new policy leaves the decisions about things like that to care givers.

### 3. What about liability?

Caregivers are immune from civil liability when approving children and youth to participate in age and developmentally appropriate activities when the caregiver is acting in accord with the Reasonable and Prudent Parent Standards.

### 4. Providers are often cited regarding lack of supervision. Will RCC and OPM be the judge of what is reasonable and prudent?

Both RCC and OPM staff are knowledgeable about the RPPS. All DFCS permanency and CPS are being trained in RPPS. Additionally, RPPS has been added to the DFCS Child Welfare Policy Manual and has been added to the FY2016 RBWO Minimum Standards (for private agencies). The Prudent Parenting Project Team/Workgroup will continue to review additional policies such as Corrective Action Plans and Policy Violations to determine if policies will need to be amended. Remember, each agency is required to complete a through initial assessment and continuous annual assessment of the foster parent. During these assessments, providers should be assessing the foster parent's caregiver's capacity. Providers are also required to provide training to the foster parent/caregiver to increase their caregiver capacity annually.

### 5. We got a lot of specific questions all along the line of, what if a parent and a youth agree on something but their agency and or DFCS and/or their birth parent doesn't agree. How does that get resolved?

## Reasonable and Prudent Parenting Standards Frequently Ask Questions (FAQs) Revised 02/09/2016

*The foster parent/caregiver will be the primary day-to-day basis decision maker. However, the birth parent should be involved as much as practical in decision-making. Circumstances that can't be resolved with a parenting team (caregiver, birth parent, staff, youth) should be elevated to the next line of supervision within DFCS until a satisfactory resolution can be reached.*

### 6. Who pays for "normal" activities?

*No new specials funds have been made available. However, there are several ways to fund the children's normal activities.*

- *Ask about any available county funds.*
- *For children under age 14 years, utilize Summer Safety/Enrichment Funds (UAS 521, code 80)*
- *Afterschool Programs*
- *Youth who are over 14 years old and has been in custody of DFCS for over 6 months, and are ILP eligible, could seek funding through ILP. However, the information regarding the activity should be included in the child's Written Transitional Living Plan.*
- *Children who are in foster care typically have Amerigroup Medicaid. Amerigroup currently covers cost for after-school Boys and Girls Club and Girl Scouts. Foster parents would need to contact Amerigroup to access these services.*
- *Foster parents/caregivers are encouraged to seek no or low cost community based activities as well.*

### 7. What role will the Graduated Independence Plan (GIP) policy play in all of this?

*DFCS will be making changes to several policies that would affect a foster parents/caregivers ability to exercise prudent parenting. As of now, DFCS would encourage the use of the graduated independence plan as a tool to communicate with the youth regarding the agency's expectation of him/her as the provider continues to grant the child's means to gain independence. A written GIP however is no longer required though its use is still recommended.*

### 8. How are we going to ensure that ALL youth have access to these opportunities?

*The law requires that DFCS ensure that youth have access to age and developmentally appropriate activities. During ECEM contacts, DFCS and RBWO providers should include this in their assessments. Staff should ask children questions regarding their activities. For private providers, OPM will continue to assess this during their monitoring visits for comprehensive and safety reviews.*

### 9. Children and youth in foster care **MAY NOT** ride with other teens, their coaches, etc., right?

*They may ride with other people including other teens with the permission of their caregivers. Caregivers must have knowledge of the current teen driving laws and decision is subject to the legal restrictions regarding teen drivers and the number of teen passengers they are permitted to have. A list of Frequently Asked Questions for Teen Driving Laws is located at <http://www.dds.ga.gov/faqs/index.aspx?faqcategoryid=42>.*

**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

10. Children and youth in foster care **MAY NOT** ride ATV's and other equipment, right?

*The youth may ride ATV's and other equipment if they practice safe measures such as wearing helmets with permission from the caregiver(s). Please see the Caregiver Guidelines Chart.*

11. Children and youth in foster care **MAY NOT** participate community activities unless background screenings have occurred, right?

*Background screenings are not a requirement for participation in community activities. The youth may participate with the permission of their caregiver(s).*

12. Children and youth in foster care **MAY NOT** travel with their foster parents out of country or out of state, right?

*The children and youth in foster care may travel out of country and/or state, however, this will require advance approval from DFCS and the Juvenile Court (for out of country travel).*

13. Children and youth in foster care **MAY NOT** spend the night at a friend's house without screenings and approvals from DFCS?

*It is not required for the friend's parents to receive screenings for overnight visits. The youth may participate with the permission of their caregiver (s). Please see the Babysitting & Overnight Guidelines handout.*

14. Who can be considered a "substitute caregiver"?

*Please see the Babysitting & Overnights Guidelines handout for the key requirements.*

15. Do non-reimbursed Substitute Caretakers have to have ACCURINT searches completed and out-of-state CPS checks conducted if they have lived out of state previously?

*No, Accurint checks nor out of state CPS checks apply to substitute caregivers unless the person becomes a routine caregiver. Please see the Babysitting & Overnights Guidelines handout for key requirements.*

16. Who will be responsible for the foster parent reviewing the DFCS disciplinary policy with a substitute caregiver?

*The caregiver will be responsible for reviewing the discipline policy with the babysitter. Please see the Babysitting & Overnight Guidelines handout for key requirements.*

17. How much information should a caregiver share with substitute caregiver?

*The caregiver is able to share enough information to ensure that the substitute caregiver will be able to care for the child. This does not require discussing personal information regarding family/child's case.*

**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

18. Do non-reimbursed Substitute Caregivers and adults that are hosting our foster children in their homes for overnight sleep-overs have to sign a copy of the Form 29 (Safety Agreement)?

*It is not required for a substitute caregiver to sign a Safety Agreement. However, the caregiver should make sure that the babysitter is prepared and able to meet the needs of the children placed in their temporary care and explained the DFCS discipline policy and provided with behavior management instructions. Please see the Babysitting & Overnight Guidelines handout.*

19. Is every individual in the parenting role required to participate in IMPACT training?

*IMPACT is for individuals who are going to serve as the primary or secondary caregiver and/or an individual who will have responsibility caring for the foster children. It is not required that babysitters and routine caregivers receive IMPACT training. Please see the Babysitting & Overnight Guidelines handout for the key requirements.*

20. Are foster parents allowed to be “occasional caregivers” for foster youth from a different agency? (Ex. foster parent from Agency 1 provide care for a foster child from Agency 2, the foster parents maybe friends/relatives, however foster through different agencies.)

*Yes they can. The reasonable and prudent parenting standard empowers the foster parents to make day-to-day decision-making for children placed in their home. The foster parent will have the ability to leave the child with an alternative/substitute caregiver (friends or relatives) even if that friend is a foster parent. Keep in mind though that an active foster parent must continue to meet the DFCS Safety and Quality Standards at all times which includes foster home utilization standards. If the number of children sleeping over will violate the SQS in anyway, it is reasonable and prudent to check with your agency in advance.*

*Babysitting /occasional care should not be confused with respite however. To use a foster parent friend for respite, the foster parents will have to communicate and coordinate this through their agencies as usual.*

21. Can non-reimbursed substitute caregivers baby-sit foster children in their own homes as opposed to the home of the foster parents?

*The caregiver should make a reasonable and prudent decision regarding where the babysitting should take place. One of the requirements is for the babysitter to be able to meet the needs of children placed in their temporary care. An average parent would make sure to at least visit the babysitter’s home to determine whether it is an appropriate environment.*

22. Who can serve as a caregiver for Child Care Institutions (CCIs)?

*Caregivers at CCIs or group homes must be in the role of Human Services Professional or higher, at least 25 years of age or 10 years older than the youth for whom the decision is being made.*

**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

23. Will caregivers be responsible if a youth cuts hair, pierced body part, etc. while at a friend's home?

*There is a difference between "responsible" and "liable". The Preventing Sex Trafficking and Strengthening Families Act provides liability cover for caregivers when children are injured while participating in an approved activity (in this case the activity is having been given permission to visit a friend). The youth is responsible for the actions described in the question not the caregiver.*

24. Can children 14 years of age and older be left under their own supervision for short periods of time with other children present, i.e. friends, foster parent's younger children and/or other foster children 14 years and older?

*Children 14 years of age and older may be left under their **own supervision** for short periods of time. Foster parents/Caregivers should use the good judgment and assess the children's acuity mix when deciding to leave children unattended for short periods of time. Children in DFCS custody may not be left under the supervision of other minors (see DFCS Child Welfare Policy 14.18 Supervision of Children).*

25. What are non-negotiables?

*Non-negotiables are situations where the caregiver cannot make sole decisions for foster children. These decisions must be made by the biological or removal family and/or DFCS. The following is a list of non-negotiables:*

- *Court Order Visitation/General*
- *Medical Approvals-other*
- *Return children without court approval*
- *Disciplinary Policy*
- *Changing Schools*
- *ILP*
- *Drastic changes of child's appearance*
- *Medications*

26. Are Child Placing Agencies allowed to add further approvals or restrictions to the approval criteria set out by the State?

*No. Neither state nor CPAs may create rules/standards which are a barrier to execution of RPPS.*

27. Can foster parent(s)/caregiver(s) consent for a youth to obtain a driver's license?

*O.C.G.A Section 40-5-26(a)(1) states that the parent or guardian must give permission. The caregiver is not considered to be the parent or the guardian of the child, therefore, cannot consent for the youth to obtain a driver's license.*

**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

28. Is there a restriction on how often a child/youth can go to sleepovers?

*There is no cumulative total for sleepovers. The sleepover cannot exceed two consecutive nights without notifying DFCS. Sleep-overs do not equate to babysitting.*

29. Is there a restriction on age of a child/youth that can go to sleepovers?

*There is no age restriction on when a youth can attend a sleep-over. However, it is recommended that caregiver utilized the "Know" Before You Say "No" handout to assist with making reasonable and prudent parenting decisions.*

30. How will the youth be informed regarding the Youth Rights and Responsibilities?

*The Georgia ILP will be hosting Youth Rights and Responsibilities Workshops around the state in Fall 2015. All youth is being encouraged to participate in this workshop and will sign an acknowledgment form that states that they have received the information. It is also important for the DFCS case manager to continue to review the information with youth to ensure that the youth understands their rights and responsibilities.*

31. What email address should the youth use in order to file grievances?

*Youth can file a grievance by sending an email to the ILP Director, Dr. Nia Cantey, at [nia.cantey@dhs.ga.gov](mailto:nia.cantey@dhs.ga.gov) or [askILP@dhs.ga.gov](mailto:askILP@dhs.ga.gov) until the Georgia ILP site is available.*

32. My college aged sister (who needs pocket money) comes over to our house when we go to our small group each week and we pay her just to help her out. Is she a routine caregiver after the 3<sup>rd</sup> time she does that?

*All routine caregivers regardless of relationship are subject to the screening requirement.*

33. The spirit of RPP seems to fit best with "get that person approved before the 4th instance" for caregivers who have little or no pre-existing relationship with the family.

*Correct. It is best to get your caregivers screened in advance.*

34. The rules for children to be away from home overnight seem far more permissive than day/evening. There is no restriction or approval for families who do overnights on multiple occasions. The restrictions are only based on consecutive nights, correct?

*Correct. Foster parents must make reasonable and prudent decisions regarding overnights. Since these are not for the purpose of arranging for childcare but rather supporting the friendships between children, the screening requirement does not apply.*

## Reasonable and Prudent Parenting Standards Frequently Ask Questions (FAQs) Revised 02/09/2016

35. The term “babysitter” and “routine caregiver” are both creating confusing signals on who needs to be approved.

*A babysitter is either a “routine” or “occasional” caregiver. It depends on how often the particular babysitter is used. We use the terms “substitute caregiver, routine/occasional caregivers and unreimbursed caregiver” to help distinguish categories of caregiving....for example to distinguish between state paid child care (licensed daycare, CAPS) and informal foster parent arranged , non-state paid child care (i.e. Babysitter).*

*Please see the chart below for key distinguishing features of babysitters, routine caregivers, occasional caregivers and playmate’s parents.*

	<b>Babysitter</b>	<b>Routine Caregiver</b>	<b>Occasional Caregiver</b>	<b>Parent of Child’s Playmate</b>
<b>Description</b>	Provides foster parent arranged watchful oversight of children; is a routine or occasional caregiver.	Provides foster parent arranged watchful oversight of children. <b>Routine care</b> means care provided more than once a week, usually at designated times.	Provides foster parent arranged watchful oversight of children. <b>Occasional care</b> means care provided once a week or less with no more than three occurrences.	Parent of the foster child’s friend; caregiving occurs in the course of the children being friends and desiring to spend time together.
<b>Payment</b>	May or may not be paid by the foster parent	May or may not be paid by the foster parent	May or may not be paid by the foster parent	None; the children are playing together or having a sleep-over.
<b>Relationship to Foster Parent</b>	May or may not be a related to the foster parent	May or may not be a related to the foster parent	May or may not be a related to the foster parent	If related to the foster parent, then the occasional/routine policy prevails and applies.
<b>Foster Grandparents &amp; Other Relatives (The parents and relatives of the foster parent)</b>	Upon completion of the third occurrence of caregiving, the occasional provider is considered “routine” and is subject to the screening requirements.	Upon completion of the third occurrence of caregiving, the occasional provider is considered “routine” and is subject to the screening requirements.	Upon completion of the third occurrence of caregiving, the occasional provider is considered “routine” and is subject to the screening requirements.	If related to the foster parent, then the occasional/routine policy prevails and applies.
<b>When Should They Be Screened</b>	Upon completion of the third occurrence, the occasional provider is considered “routine” and is subject to the screening requirements.	Upon completion of the third occurrence, the occasional provider is considered “routine” and is subject to the same screening requirements.	Upon completion of the third occurrence, the occasional provider is considered “routine” and is subject to the screening requirements.	N/A unless they are relatives of the foster parent.

**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

36. At what point does someone in the foster families' natural network become subject to approvals if all they are doing is being a friend of the family or child in the natural course of life?

*Unless they are serving as a babysitter/routine or occasional caregiver, they are not subject to screenings assuming of course that they do not live in the foster parent's household.*

37. If they are a part of the families natural network does the fact that I decide to pay them something have any bearing on their need to get approved?

*All routine caregivers regardless of payment arrangements are subject to the screening requirement.*

38. My neighbor has my kids over after school to play with her kids several times a week. I host all of the kids at my house on the other days. Is she ever subject to needing approval?

*No, the caregiving that occurs in the course of the children being friends and desiring to spend time together does not subject the parent to screenings. Please see the chart in Q35.*

39. Foster families are no longer required to ask their agency about sleepovers that do not exceed 2 nights. As a result, how will the agency meet its requirement of "always knowing where the child is" or has that expectation been softened in the development of the new policy?

*There is not a policy that states that DFCS has to know (physically) where children are at all times. This is not reasonable or practicable for even intact families. DFCS must know at all times where children are placed and where they are for respite. The caregivers with whom children are placed are entrusted with knowing where children in their care are (physically).*

40. What documentation will be required by a foster parent or CCI designee to satisfy the standard of a prudent parent decision that results in harm or other potential legal situations?

*No documentation is required other than the caregiver keeping general notes about what activities the child took part in.*



**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

41. How do CPAs and CCIs minimize the chance of receiving RCCL citation for lack of supervision? Note: This response is provided by RCCL.

*By ensuring that the caregiver has been provided with a complete history of the child, a current service plan for the child, and training on the facilities'/agencies' prudent parenting policies and procedures and using that information along with the caregivers direct parental experiences with the child whenever making reasonable prudent parenting decisions. Both direct care staff (including foster parents) and administrative staff have a role in ensuring that decisions regarding supervision of children are both prudent and reasonable. Additional details on each of the four components of Prudent Parenting Decision Making are provided below:*

- 1) **Referral/Intake**- The provider should ensure that the referral source has provided them with a complete history (to the extent known) regarding: the child's needs; previous disruptions and cause of those disruptions; triggers and precautions; behavioral concerns; and academic attendance and performance. That information should in turn be passed on to the caregiver upon placement or as soon as it becomes available and utilized as part of the reasonable and prudent parenting decision-making process. The receipt and provision of this information to the caregiver should be documented in the file.
- 2) **Service Plans**-The provider should ensure that service plans are kept current and are based on a comprehensive written assessment. The plans should provide the caregiver with guidelines on recommended levels of supervision based on both historical and current functioning, needs, and behaviors of the child. The completed plans and provision of this information to the caregiver should be documented in the file. Information obtained through supervision of the placement should be utilized to revise the plan as "changes to functioning, needs, behaviors, and recommended levels of supervision occur" so it can be more specific..."as needed" seems to subjective).
- 3) **Facility Policies and Procedures**-each facility/agency should have clear policies and procedures related to the implementation of Reasonable Prudent Parenting (RPP) and should include guidelines to caregivers such as increased supervision during the first 30 days of placement and when the referral/Intake information or current behaviors warrant. All caregivers should be trained on those policies and procedures.
- 4) **Caregivers Judgment**-Each caregiver should consider numbers 1-3 above along with their own parental experiences with the child and the child's current behaviors and needs in order to make reasonable Prudent Parenting decisions. Changes in behaviors, functioning, and needs of the child should be discussed regularly with the provider, but at a minimum during monthly supervision and documented in the file.

42. Can staff take residents off-campus or away from foster home for an overnight trip?

*If the agency (CPA or CCI) has coordinated or are participating in an overnight activity such as conferences or vacations, it is appropriate for staff also be present on those outings. However, staff are not allowed to take foster children on private overnight activities or private staffs' family and friends outings.*

**Reasonable and Prudent Parenting Standards  
Frequently Ask Questions (FAQs)  
Revised 02/09/2016**

43. Can CCI reduce their insurance after RPPS has been implemented?

*No. CCI are still required to maintain the same amount of insurance coverage prior to implementation of RPPS. Please review Para #129 Insurance in your agency's most recent contract regarding coverage for worker's compensation, commercial general liability, business auto, malpractice/professional liability, and commercial umbrella policies.*

44. How are agencies supposed to handle situations/issues when children believe that they are being treated "unfairly"?

*RBWO Minimum Standards requires that agency's provide the youth with an orientation and a handbook when the youth is admitted to the problem. The children at the placement should have a clear understanding of the agency's behavior management and grievance policies. The agency is responsible for amending their own policies. Amended policies must be sent to OPM for review and approval. If a youth right have been violated and cannot be resolved through the agency's grievance process, youth (14 years old and older) can elect to file a formal grievance with the Division. Please see the DFCS Child Welfare Policy 13.7 Youth Rights and Responsibilities).*

45. What support would a CCI receive from OPM/RCC if a child is injured off campus after a RPPS decision has been made?

*Providers will continue their incident reporting processes for OPM, RCC, and CPS. Each case would have to be considered individually.*

46. Can CCI utilize babysitters/volunteers to care for children for a short period of time (ex. date night for houseparent?)

*No. According to the RBWO Minimum Standards, CCI must comply with all applicable rules and regulations of RCC (13.20) and must employ an adequate number of qualified staff to provide the necessary supervision services (13.9). Staffing ratios must meet the minimum standards as outlined in the Staffing Section of the RBWO Minimum Stands (13.13).*