



Reasonable and Prudent Parent Standard

Presented by

Foster Home Licensing Team

Permanency Planning- Social Work



Definition:

N.C.G.S. § 131D-10.2A states the Reasonable and Prudent Parent Standard is the standard characterized by careful and sensible parental decisions that are reasonably intended to maintain the health, safety, and best interests of the child while at the same time encouraging the emotional and developmental growth of the child that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural, and social activities.

In this context, “placement provider” means a foster parent, relative, or non-relative kin with whom a child in the custody or placement responsibility of a county child welfare services agency has been placed, or a designated official for a child care institution in which a child in the custody or placement responsibility of a county child welfare services agency has been placed.



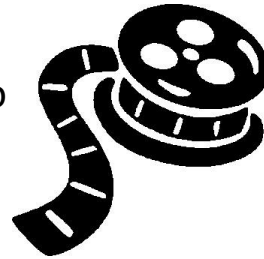


Family Recreation



Activities a caregiver can approve independently:

- Movies
- Community activities such as concert, fair, food truck rodeo
- Family Events
- Camping
- Hiking
- Biking using a helmet
- Other sporting activities using appropriate protective gear
- Amusement park
- Fishing (must follow NC General Statute Chapter 113: Any one over age 16 must have a license)



Examples of childhood activities the local child welfare agency or licensing agency must approve or obtain a court order:

- Any of these events or activities lasting over 72 hours.
- Target Practice (gun, bow and arrow, cross bow at either formal range or private property) must have local child welfare agency approval and be supervised by adult age 18 or over, abiding by all laws.



Water Activities

(Children must be closely supervised and use appropriate safety equipment for water activities)

Activities a caregiver can approve independently:

- Structured water activities with trained professional guides and /or lifeguards: river tubing, river rafting, water amusement park, swimming at community recreation pool.
- Unstructured water activities with adult supervision: boating wearing a life jacket, swimming.

Examples of childhood activities the local child welfare agency or licensing agency must approve or obtain a court order:

- Any of these events or activities lasting over 72 hours.



Do you have a pool on your property or on the property you live (Ex: apartment complex)? If yes...



- Is the pool above ground? If yes, does the ladder lock into place or can it be removed so it is inaccessible? If no, the home **cannot** be licensed until the family complies with this rule.
- Is the pool inground? If yes, is the pool enclosed by a fence that is at least 48” high with a gate that locks or does the family have a fence with a locked gate around the yard? If no, the home **cannot** be licensed until the family complies with this rule.

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Other Water Hazards

- If your property has a water hazard such as a pond, lake, river or beach, which can be seen from the home at any time of year, the family **must** have a fence with a locked gate that provides a safe play space for the children.
- The agency will require a water safety plan if any water safety hazard was identified during the assessment.



Hunting (using gun, bow and arrow)

Must have local child welfare agency approval, should have biological parent approval and would require the following:

- Child/youth must take the NC Hunter's Safety Class at www.hunter-ed.com/northcarolina
- Supervision by a person at least 18 years old or over, who has also taken the above safety course
- Documentation that the requirements are met are provided to the local child welfare agency in advance



Social/Extracurricular Activities



Activities a caregiver can approve independently:

- Camps
- Field Trips
- School related activities such as football games, dances
- Church activities that are social
- Youth Organization activities such as Scouts
- Attending sports activities
- Community activities
- Social activities with peers such as dating, skateboarding, playing in a garage band, etc
- Spending the night away from the caregiver's home

Examples of childhood activities the local child welfare agency or licensing agency must approve or obtain a court order:

- Any of these events or activities lasting more than 72 hours.
- Target Practice (gun, bow and arrow, cross bow at either formal range or private property) must have local child welfare agency approval and be supervised by adult age 18 or over, abiding by all laws.
- Playing on a sports team such as school football or any other contact sport would require both the birth parents' approval and the local child welfare agency approval.



Motorized Activities

Children and caregivers must comply with all laws and use appropriate protective/safety gear. Any safety courses that are required or available to operate any of the vehicles/equipment listed must be taken.

Examples of normal childhood activities caregivers can approve independently:

Children riding in a motorized vehicle with an adult properly licensed if required including but not limited to:

- Snowmobile
- All-terrain vehicle
- Jet ski
- Tractor
- Golf cart
- Scooter
- Go-carts
- Utility vehicle
- Motorcycle



Motorized Activities Continued

State laws must be followed regarding operating motorized equipment or vehicle including but not limited to:

- Snowmobile
- All-terrain vehicle (must be 8 years of age to operate and anyone less than 12 years of age may not operate an engine capacity of 70 cubic centimeter displacement or greater; no one less than 16 may operate an engine capacity of 90 cubic centimeter displacement or greater and NO ONE under 16 may operate unless they are under the continuous visual supervision of a person 18 years or older per NC § 20-171.15)
- Jet ski (may be 14 years of age with boating safety certification, otherwise must be 16 or older-NC § 75A-13.3)
- Tractor (must be 15 to operate NC § 20-10)
- Golf cart (must be 16 to operate NC § 153A-245)
- Scooter/Moped (No one under age 16 may operate a moped and no license is required NC § 20-10.1)
- Go-carts
- Utility vehicle
- Lawn mower may not be operated by anyone below age 12. Children also may not be a passenger on a lawnmower.
- Motorcycle (No one under 16 may acquire a license or learner's permit. No one less than 18 may drive a motorcycle with a passenger. NC § 20-7)



DRIVING

The following persons can be the required second signature for a youth's permit or license:

- Youth's parent or guardian
- A person approved by the parent or guardian
- A person approved by the Division
- Specifically for children in custody: Guardian ad litem or attorney advocate; a case worker; or someone else identified by the court of jurisdiction

The youth who is 16 or older may acquire insurance and is responsible for the premium and any damages caused by the youth's negligence. This does not preclude a foster parent from adding a youth to their insurance.

A driver's permit is required to "practice" driving in NC and cannot be obtained prior to age 15.



TRAVEL

Caregivers can independently approve all travel within the United States less than 72 hours.

Local child welfare agency (the legal custodian) must approve all travel more than 72 hours and all travel outside of United States. A court order also may be required.

In order for the Department, or in certain circumstances the court, to approve travel more than 72 hours and travel outside of United states, a foster parent must provide the following to their licensing social worker and/or child's social worker:

- *Dates of travel*
- *Place of travel*
- *Plan for their stay during travel (e.g.: hotel, relative, friend, Airbnb, etc.*

Buncombe County Protocol: A Guardian Ad Litem must consent to travel, and the birth parent must be informed of travel. If parties cannot consent to travel, the Department may seek a court order. The child's social worker may schedule a make-up visit between the child and the birth parent if travel interferes with visitation.



Employment/Babysitting

Activities a caregiver can approve independently:

Youth 14 years and older and following NC § 95-25.5.

- *Interview for employment*
- *Continuation of current employment*
- *Does not interfere with school*



**Sexually aggressive and physically assaultive youth may not babysit other children.*



Religious Participation

A child can attend or not attend a religious service of their choice. Notify the child's social worker when the child and the biological parent and/or foster parent choices are in conflict.



Cellphone

This is a collaborative decision between the placement provider, the local child welfare agency worker, and the youth.



Child's Appearance

Caregiver can independently seek interventions requiring medical treatment for lice and ring worm.

The child welfare social worker may need interfere when the child and biological parent choices are in conflict such as with perms, color, style, relaxers, etc.

- Ear piercings ***must*** include biological parent in decision.
- Piercing (Per NC § 14-400 it is illegal for anyone under 18 to receive a piercing (other than the ears) without consent of custodial parent or guardian.
- Tattoos (Per NC § 14-400 it is illegal for anyone under 18 to receive a tattoo).
- Haircuts of any length or style ***must*** have parental consent.
- Please refer to *Lovely Locks Hair Care* training to learn how to properly care for African-American hair.





Leaving Child Home Alone

The issue of being left alone (in any situation) needs to be discussed and agreed upon in CFT.





<https://www.surveymonkey.com/r/JGVHDBB>

Please copy and paste in your browser to take the quiz.



Thank you for your participation!

This training was made with specific state mandates and Buncombe County policy targeted. Some policies may differ dependent on licensing agency and county of placement origin. Please check in with your agency if this training could count as part of your ongoing in-service training hours.

