

## Reasonable and Prudent Parent Standard

### CPA Policy Guidelines

The federal Preventing Sex Trafficking and Strengthening Families Act requires states to develop and implement a reasonable and prudent standard (RPPS) for caregivers to use when determining a child's participation in normal childhood activities. Subsequent Connecticut legislation further defines this standard and requires that any private entity that contracts with the department to provide placement services to children in the legal custody of the department have policies consistent with this legislation.

Connecticut state legislation states that, "A caregiver shall have the authority, without prior approval of the department, Probate Court or Superior Court, to allow a child in his or her care that is the subject of a service plan or safety plan to participate in normal childhood activities that are age appropriate or developmentally appropriate for such child based on a reasonable and prudent parent standard, provided (1) such activities comply with the provisions included in any existing service plan or safety plan established by the department or court order, and (2) the parent or guardian of such child or youth shall be afforded an opportunity to provide input into the development of such service or safety plan".

Reasonable and prudent parent standard is defined as the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interest of a child.

Normal childhood activities are defined as extracurricular, enrichment, and social activities that may include, but not be limited to, overnight activities outside the direct supervision of the caregiver for periods of up to forty-eight hours.

Caregiver is defined to include a person approved by a child placing agency to provide foster care.

The state legislation also limits liability for injury to a child that occurs as a result of a caregiver allowing a child to participate in normal childhood activities absent willful or wanton negligence.

Child Placing Agency policy related to the reasonable and prudent parent standard should –

- Reference the federal and/or state legislation and the definitions contained therein.
- Address the training of foster parents and staff in the reasonable and prudent parent standard and decision making process.
- Address the consideration of the child's DCF service or safety plan in making such decisions
- Address the opinions of the child's parent in decision making

- Address the scope of the decision that can be made under the standard in accordance with related legislation and regulations.
- Clearly differentiate respite care, as typically provided within the foster care system, from a foster child sleeping over another home as part of a normal childhood activity.

CPA regulation with direct impact on RPPS -

150-106 – substitute childcare – the regulation itself seems to be okay as it is – the interpretation may need to be edited

150-110(d) – regarding revocation of license/approval for “knowingly” arranging substitute childcare with someone with a prohibited background. The word “knowingly” seems to allow for honest mistakes made when implementing RPPS.

Other regulations with possible impact – (Pam can expand on her thinking here)

150-57 – regarding the provision of staff to supervise homes (Does RPPS in FC speak to foster parents or staff too?)

150-59 – staff training – related to new RPPS standard

150-77(f) – CPA license renewal related to knowingly arranging substitute child care as in 106 - but related to the agency not the foster parent

150-104 – regarding unauthorized absence of youth

150-109(a)(6) – promotion of social, emotional and physical development.

150-110(d) – similar to 77 but related to renewal