



South Carolina

Department of Social Services

Child Welfare Services Manual

760.3 Reasonable and Prudent Parenting

Effective Date: 07-21-2016

Purpose Statement:

Children in foster care should receive the same opportunities as other children to participate in age- and developmentally-appropriate activities that are "normal" in the life of a child. The agency shall require foster placements to provide normalcy for each child in their care. This section sets forth the policies and procedures by which the agency will define, apply, and monitor the provision of these opportunities.

Policy:

1. The term "reasonable and prudent parent standard" shall mean the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a 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.
2. The term "age- or developmentally-appropriate activities" shall mean:
 - a. Activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally-appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group; and
 - b. In the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical, and behavioral capacities of the child. Such activities may include, but shall not be limited to:
 - I. sports;
 - II. field trips;
 - III. extracurricular activities;
 - IV. social activities;
 - V. afterschool programs or functions;
 - VI. vacations with a placement lasting up to two weeks;
 - VII. overnight activities away from the placement lasting up to one week;
 - VIII. employment opportunities; and
 - IX. in-state or out-of-state travel, excluding overseas travel.

3. All foster placements shall satisfy the reasonable and prudent parent standard when facilitating age- and developmentally-appropriate extracurricular, enrichment, cultural, and social activities for children in their care.
 - a. DSS shall apply this requirement as a Standard of Care for all foster family homes (including those managed by private child placing agencies) and group homes in which children are placed.
 - b. DSS shall require the exercise of this standard as a condition in each contract entered into between the state and any private entities that provide placement for foster children.
 - c. DSS shall require that group homes designate at least one on-site official per facility to be the caregiver who is authorized to apply the reasonable and prudent parent standard to decisions involving the participation of each child in age or developmentally-appropriate activities, and who is provided with training in how to use and apply the reasonable and prudent parent standard.
 - d. When using the reasonable and prudent parent standard, a placement shall consider:
 - I. The best interests of the child, based on information known by the placement;
 - II. The overall health and safety of the child;
 - III. The child's age, maturity, behavioral history, and ability to participate in the proposed activity;
 - IV. The potential risks and the appropriateness of the proposed activity;
 - V. The importance of encouraging the child's emotional and developmental growth; and
 - VI. Any permissions or prohibitions outlined in an existing court order.
4. The licensing standards and standards of care laid out in this chapter and in DSS Regulations shall be construed as permitting foster placements' use of the reasonable and prudent parent standard.
 - a. The agency shall not require that foster placements receive official agency authorization prior to any exercise of the reasonable and prudent parent standard.
 - b. However, the agency shall require that foster placements inform DSS staff during routine visits about the activities in which the foster children in their care participate. If such an activity involves one of the following situations, the agency shall require reasonable notice in advance of the commencement of such an activity:
 - I. Out-of-state or otherwise significant travel (excluding overseas travel, which shall require agency authorization);
 - II. Supervision of the child by another adult or allowance of a child to be temporarily unsupervised;
 - III. Contradiction of a birth family's expressed wishes or belief system (if parental rights have not been terminated or if a relationship between the child and his or her kin still exists after termination);
 - IV. An important social, cultural, or religious event (e.g., baptism, confirmation, bar mitzvah, etc.);
 - V. Any increased level of risk to the child (whether physical or otherwise); or
 - VI. Any divergence from plans or needs previously discussed by the agency and the foster placement.
5. Such notice may be in the form of a phone call, text message, email, letter, or in-person conversation with the child's worker. If one of the above activities is to take place routinely, the agency shall (unless special circumstances exist or the situation changes) only require advance notice for the initial occurrence of the activity.

6. If, after reasonable notification regarding a proposed activity, the agency has concerns about whether the activity is reasonable, prudent, appropriate, or otherwise in the child's best interests, the agency will (when possible) seek to resolve the issue with the foster placement in a timely manner. In some circumstances, if the disagreement cannot be resolved, the agency may choose to remove the child from the placement.
7. The foster placement shall seek agency authorization in situations in which the agency or birth parent must sign or consent as the child's legal guardian.
8. Special authorization by the agency shall be required for applications to obtain a driver's license for the child (see Applications for Youth Driver's Licenses below).
9. The following activities shall not constitute reasonable and prudent parenting decisions and shall require agency authorization in accordance with policies and procedures in this manual:
 - a. Arranging for a child's travel outside of the United States;
 - b. Changing a child's school, school attendance, IEP, or participation in a GED program;
 - c. Making drastic, permanent, or long-term changes to a child's physical appearance (e.g., through body piercings, tattoos, etc.);
 - d. Changing a child's psychotropic or other prescribed medication, altering the administration of such medication, and/or altering a child's treatment regimen;
 - e. Changing a child's religion or involving a child in activities related to a religion against the birth family's wishes, if parental rights have not been terminated or if a relationship between the child and his or her kin still exists after termination;
 - f. Consenting to medical procedures (except in emergency situations as described in [Section 510.6: Educational Needs](#));
 - g. Disclosing the child or birth family's image, name, or other personal information in situations other than those specified in [Section 760.5: Foster Parent Records & Confidentiality](#);
 - h. Changing a child's parent or relative communication or visitation plan in any way;
 - i. Changing the communication or visitation plan between the child and his or her siblings; and
 - j. Altering or disrupting a child's case plan or transition plan.
10. Nothing in this section shall give foster placements the authority to:
 - a. Change the child's placement status, including through reunification with family members;
 - b. Violate the Standards of Care set forth in this chapter, including those related to discipline practices; or
 - c. Violate or obstruct a court order or court-ordered plan.
11. All placements shall receive training and training materials about knowledge and skills relating to the reasonable and prudent parent standard, including:
 - a. The importance of a child's participation in age- and developmentally- appropriate activities;
 - b. The benefits of such activities to a child's wellbeing
 - c. Knowledge and skills relating to the developmental stages of the cognitive, emotional, physical, and behavioral capacities of a child; and
 - d. Knowledge and skills relating to applying the standard to decisions such as whether to allow

the child to engage in social, extracurricular, enrichment, cultural, and social activities, including sports, field trips, and overnight activities lasting one or more days, and to decisions involving the signing of permission slips and arranging of transportation for the child to and from extracurricular, enrichment, and social activities.

12. The agency shall provide liability insurance for foster families, and such insurance shall provide coverage for all liability arising from activities properly undertaken in accordance with the reasonable and prudent parent standard (refer to [Section 760.4: Foster Parent Insurance & Liability](#)).
13. All decisions made by foster placements in accordance with the reasonable and prudent parent standard shall, when possible and appropriate, include consideration or involvement of the child's birth family (as set forth in the principles of Shared Parenting).
14. All decisions made by foster placements in accordance with the reasonable and prudent parent standard shall, when possible and appropriate, include consideration or involvement of the child's birth family (as set forth in the principles of Shared Parenting).

Procedures:

1. For reasonable and prudent parenting as a licensing requirement, refer to [Section 741.1: Foster Family Initial Licensing Assessment](#).
2. For monitoring of a family's exercise of the reasonable and prudent parent standard by the family's Foster Family and Licensing Support Coordinator, refer to [Section 760.1: Home Visits & Foster Family Contacts](#).
3. For monitoring of a specific child's access to age- and developmentally- appropriate activities by the child's Foster Care worker, refer to [Section 510.4: Case Planning & Management](#).
4. For insurance and liability issues related to reasonable and prudent parenting, refer to [Section 760.4: Foster Parent Insurance & Liability](#).
5. For specific documentation requirements for children with case plans of APPLA, refer to [Section 520.4: Another Planned Permanent Living Arrangement](#).

Applications for Youth Driver's Licenses

1. For youth whose parent's rights have not been terminated, the Foster Care worker shall contact the child's birth parent(s) to seek his or her permission and signature for the child's driver's license application.
2. For youth whose parent's rights have been terminated, the worker shall:
 - a. Upon a request by a placement to obtain a driver's license for the child, determine whether the child is legally free for adoption;
 - b. If the child is legally free for adoption, determine whether it is in the child's best interests to obtain a license;
 - c. If it is in the child's best interests to obtain a license, seek approval from the County Director, Foster Care Program Director, Adoptions Administrator, or Regional Director and provide the basis

for determining that such action is in the child's best interests;

- d. If approval is obtained, offer the placement the opportunity to accept financial responsibility for the child by providing the placement with a copy of the DMV Addendum;
- e. If the placement wishes to accept financial responsibility and sign the DMV Addendum, the worker shall facilitate signature of the document by the placement and the designated agency representative giving approval; and
- f. Instruct the placement to submit the DMV Addendum along with the application for a license or permit.

Documentation:

- Contacts with foster family and child
- Copies of training completion documentation

Legal Citations:

- 42 U.S.C.A. § 671(a)(10): RPP requirements
- 42 U.S.C.A. § 671(a)(24): foster parent training, RPP training 42 U.S.C.A. § 675(10) thru (11): RPP definitions
- S.C. Code Ann. § 63-7-20: definitions
- S.C. Code Ann. § 63-7-25: reasonable and prudent parenting