

**Cuyahoga County
Department of Health and Human Services
Division of Children and Family Services
Policy Statement**

Policy Chapter: Substitute Care
Policy Number: 6.01.02
Policy Name: Normalcy in Care

Original Effective Date: 11/01/2016

Revision Date(s):

Current Revision Date:

Approved By: Thomas D. Pristow



PURPOSE: To allow and encourage children to experience normal childhood activities while living in licensed foster homes or in approved relative placements.

SCOPE: This policy applies to the Cuyahoga County Division of Children and Family Services (CCDCFS), its staff, caregivers of children in the custody of CCDCFS and children and youth in the custody of CCDCFS.

POLICY

Children in foster care are entitled to participate in age-appropriate extracurricular, enrichment and social activities. CCDCFS encourages the enrollment of children in activities that support emotional and developmental growth, as well as fostering the child's family-like living experience. The well-being of children and youth in care is promoted and strengthened by having experiences that their peers, who are not in foster care, enjoy.

CCDCFS believes it is essential to consider whether their child should participate in an activity based upon the child's age, maturity and developmental level. With this in mind, and in accordance with Ohio law, CCDCFS expects a caregiver to act in accordance with the reasonable and prudent parent standard. The reasonable and prudent parent standard is characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests while at the same time encouraging the child's emotional and developmental growth.

A caregiver shall consider the following factors when making determinations regarding the child's participation in extracurricular, enrichment and social activities:

1. The child's age, maturity, and developmental level to maintain the overall health and safety of the child;
2. The potential risk factors and the appropriateness of the extracurricular, enrichment, or social activity;

3. The best interest of the child based on information that the caregiver has about the child;
4. The importance of encouraging the child's emotional and developmental growth;
5. The importance of providing the child with the most family-like living experience possible; and
6. The behavioral history of the child and the child's ability to safely participate in the extracurricular, enrichment, or social activity.

CCDCFS believes that caregivers can walk through these factors by asking some of the following questions about potential opportunities/activities: 1) is the activity age appropriate; 2) is there anything based upon the child's history with the current caregiver (such as running away or inappropriate behaviors) to suggest that the activity would not be appropriate for the child; 3) does the caregiver's decision maintain the child's health, safety and best interests; and 4) does the activity assist in normalizing life in foster care.

It is important to recognize that Ohio law offers a caregiver immunity from civil actions to recover damages for injury, death or loss to a person or property that results from a caregiver's decisions, so long as the following factors are present: 1) the caregiver makes decisions using the reasonable and prudent parent standard; 2) the caregiver's action(s) are not manifestly outside the scope of the caregiver's power, duty, responsibility or authorization; and 3) the caregiver's decision is not made with malicious purpose, in bad faith or in a wanton or reckless manner. See *Ohio Revised Code Sections 5103.162 and 2151.315*.

As noted above, caregivers are required to use the reasonable and prudent parent standard to make decisions about such activities. However, CCDCFS requires the caregiver to consult first with the child's worker of record if the proposed activities fall under the following categories:

1. Riding on motorized vehicles such as motorcycles and ATVs;
2. Attending field trips or summer camps that will be held out of state;
3. Spending time in the community unchaperoned;
4. Participating in activities with weapons, such as hunting and target shooting; and/or
5. Appearing in an activity where the child's picture would appear in media that will be made available for public viewing (e.g., Facebook, newspaper, other websites).

In order to assist caregivers and children in foster care to understand this policy and to provide training to CCDCFS regarding this policy, CCDCFS has prepared educational materials regarding normalcy in care.

SEE ALSO:

Ohio Revised Code (ORC)

Sections 5103.162 and 2151.315

Cuyahoga County Division of Children and Family Services Policies and Procedures Manual

Policy 5.01.02 – Case Plan / Family Service Plan

Policy 5.02.01 – TDM / Staffings Policy

Policy 5.01.04 – Family Team Meetings