Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183)  
Title IV-E of the Social Security Act Section 475(9), (10), and (11)

REQUIREMENTS

The Division of Family and Children Services shall ensure that each child in foster care shall have the opportunity for spiritual development in accordance with the wishes of the child and the birth parents.

DFCS shall ensure each child in foster care has ongoing opportunities to engage in age and developmentally appropriate activities (i.e. extracurricular, enrichment, cultural, and social activities). The term age or developmentally appropriate means:

1. 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 typical for an age or age group; and
2. 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 cognitive, emotional, physical and behavioral capacities of the child.

Caregivers shall apply the reasonable and prudent parenting standard\(^1\) (see policy 14.26 Resource Development: Reasonable and Prudent Parenting Standard) when determining whether to allow a child in foster care to participate in particular extracurricular, enrichment, cultural, and social activities. Each child caring institution (CCI) shall identify an individual to be the “caregiver” responsible for making such decisions for each child in their care.

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1 The term ‘reasonable and prudent parenting standard’ means 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. In this context, ‘caregiver’ means a foster parent with whom a child in foster care has been placed or a designated official for a child caring institution in which a child in foster care has been placed.
DFCS shall ensure caregivers receive written authorization before a child in DFCS custody travels outside of the State of Georgia or outside of the United States².

   a. For out-of-state trips, written authorization shall be obtained from the child’s birth parent and/or the Juvenile Court, when the child is in the temporary custody of DFCS.
      1) Written authorization may be granted by the County Director/Designee if the child is in the permanent custody of DFCS.
      2) Written authorization shall include express authorization for the caregiver to obtain emergency medical treatment for the child.

   b. For out-of-country trips, written authorization shall be obtained from the child’s birth parent and/or Juvenile Court, when the child is in the temporary custody of DFCS.
      1) Written authorization may be granted by the County Director/Designee if the child is in the permanent custody of DFCS.
      2) Written authorization shall include express authorization for the caregiver to obtain emergency medical treatment for the child.

Caregivers shall not be subject to actions against his/her approval status for harm caused to a child in care who participates in an activity approved by the caregiver, provided that the caregiver has acted as a reasonable and prudent parent.

Caregivers shall keep records on children’s needs, activities, and significant decisions to share with DFCS/CPA and discuss with the DFCS/CPA during regular communications.

**PROCEDURES**

**DFCS Social Services Case Manager (SSCM) will:**

1. Review the reasonable and prudent parenting standard with the caregiver. Document this discussion on the Contact Summary page in Georgia SHINES, the Statewide Automated Child Welfare Information System.

2. Discuss with the children, birth parents and placement providers any activities in which children are currently participating or are interested in participating.
   a. Identify the resources needed to support a child’s participation in activities (e.g. financial, transportation, physical examinations, instrument, lessons, etc.).
   b. Identify any barriers to participation and find appropriate solutions.
   c. Support the caregiver, as needed, in identifying age and developmentally appropriate activities that would promote a child’s personal and social growth.
   d. Encourage the input of the child’s parent into the type of activities they would like their child to participate in and whenever possible, include them in the decision making.

3. Ask children and their birth parents if they have any religious affiliation and address any concerns about the children participating in religious activities with the foster family.
   a. To the extent possible, allow children to attend their own church, synagogue, or other place of worship; Support participation by the birth parents.
   b. Consult with the birth parents before allowing their children to participate in significant religious rituals and activities. (e.g., Baptism)

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² Since Georgia Medicaid will not cover any medical expenses incurred out-of-country, this factor needs to be considered before authorizing such trips.
4. Ask caregivers to provide advance notice of plans to allow children in DFCS custody to participate in overnight outings exceeding two nights.
   a. Caregivers must have knowledge of where and with whom children are to be staying and the type of care and supervision they will be receiving at outings where the caregiver will not be present.
   b. The SSCM has the discretion to ask the caregiver for identifying information on the adults responsible for supervision at the overnight outing and screen their names to see if they have Child Protective Services (CPS) history or are listed on the Sexual Offenders Registry.

5. Ask caregivers to provide advance notice of plans to travel out-of-state or out-of-country. If the court and/or DFCS does not authorize a particular trip, the SSCM must arrange for a temporary placement for children during the time the caregiver is away.

**PRACTICE GUIDANCE**

The Preventing Sex Trafficking and Strengthening Families Act does not only focus on issues related to child sex trafficking. It also contains provisions that ensure that children in foster care have opportunities to participate in activities that are appropriate to their age and stage of development. Children in foster care should be able to participate in activities that promote personal and social growth, self-esteem, and independence as long as they are not identified as foster children (e.g. receiving public recognition for accomplishments, being photographed for publication in a yearbook, participating in community events).

**Extracurricular, Cultural, and Social Activities**

Participation in age appropriate activities helps children to develop their social, emotional and intellectual skills. Children should be encouraged to participate in extracurricular activities (e.g. sports, band, choir, 4-H and other school clubs, field trips, etc.), cultural activities (e.g. museum exhibits, dance recitals, plays, etc.) and social activities (e.g. YMCA, Boys and Girls Club, martial arts, bowling, movies, etc.). Unfortunately, some children in care may not have had previous experiences with engaging in such activities before entering foster care. Consequently, some may require special assistance with learning how to participate appropriately in such activities. When appropriate, birth parents should be allowed to participate in events and activities that occur in their child’s life. This is in keeping with the concept of partnership parenting wherein foster parents work with birth parents to help enhance the birth parents’ parental capacities and provide them with parenting opportunities while their children are in foster care. Just like the children in foster care, some of their parents may not have ever had previous experience with participating in many events or activities with their children. Engaging the parents outside of court rooms and DFCS offices can help build positive working relationships and help birth parents experience the joy of parenting that may have been overshadowed by stress and the trauma of having their children removed from their custody.

**Spiritual Development**

Birth parents of children in foster care retain certain residual rights, even though DFCS holds temporary custody. Determining the child’s religious affiliation is one of these. If the child is under voluntary placement authority, the parent is to advise DFCS on the Voluntary Agreement to Place Child in Foster Care of the child’s religious affiliation. If the wishes of the parent and other family members are unknown, then the foster parent and the SSCM must plan how to best meet the spiritual development needs of the child. When appropriate, parents should be allowed to participate in religious activities that occur in their child’s life. Given that foster parents may
hold personal spiritual beliefs that may differ from those of foster children or their birth parents, careful consideration must be given during the process of matching children and foster homes. By considering potential conflicts ahead of time, we may avoid placement disruptions or placing children in home where neither they nor their foster parents feel comfortable engaging in the spiritual practices of their choice.

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