



**State of Florida
Department of Children and Families**

Rick Scott
Governor

David E. Wilkins
Secretary

May 24, 2013

Congressman Dave Reichert
Chairman, Human Resources Subcommittee
House Ways and Means Committee
1127 Longworth HOB
Washington, D.C. 20515

Dear Congressman Reichert:

Thank you for the opportunity to testify at the May 9 hearing and share Florida's successful efforts to "let kids be kids." Among our most significant responsibilities is the charge to protect children from harm and provide them a healthy environment in which to reach their fullest potential.

Attached is a written response for the record to a question raised during the hearing. If you or other Congressional members have additional questions, please do not hesitate to contact me.

We share your concern for vulnerable children and appreciate the opportunity to discuss this important issue.

Sincerely,

David E. Wilkins
Secretary

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Question for the Record
from Ways and Means Subcommittee on Human Resources
to Florida Department of Children and Families Secretary David E. Wilkins

Hearing on "Letting Kids Be Kids: Balancing Safety
With Opportunity for Foster Youth"

May 9, 2013

What in federal law may be influencing policy in ways that limit the opportunities of foster youth?

Congressional hearings focusing on such important issues as normalcy for children in foster care help to underscore for all the prevalence of concern and importance of ensuring abused and neglected children are not further traumatized by practices that inhibit normal childhood experiences. The federal emphasis on well-being supports efforts such as Florida's "normalcy" initiative. However, there are no federal definitions for "age-appropriate," "caregiver," or "reasonable and prudent parent standard," terms which are defined in Florida's new normalcy law.

Federal law says "safety and well-being of children and of all family members is paramount." Florida's new normalcy law enhances that "safety and normalcy balance" standard of decision-making with a "reasonable and prudent parent" standard for decision-making. Florida's Legislature in 2013 defined "reasonable and prudent parent standard" as "the standard 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, that a caregiver shall use when determining whether to allow a child in out-of-home care to participate in extracurricular, enrichment, and social activities."

The new law requires caregivers to use a reasonable and prudent parent standard in determining whether to give permission for a child in out-of-home care to participate in extracurricular, enrichment and social activities. The caregiver shall consider: the child's age, maturity, development level; potential risk factors and the appropriateness of the activity; the best interest of the child; the importance of encouraging the child's emotional and developmental growth; the behavioral history of child; and the importance of providing the most family-like experience possible.