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Children in Foster Care: Using relative visits and alternative child care arrangements

Relative visits and a variety of alternative child care arrangements can support children in foster care and their foster parents. In non-emergency situations, all arrangements for alternative care must be agreed upon with the legally responsible county or tribal agency in advance. Whether a child is placed in a relative or non-relative home, legally responsible agencies and foster parents should use principles of family-centered practice, and engage and involve a child's family and support network, whenever possible. This includes considering how a child's family and friends can help meet a need for babysitters, child care, and visits that maintain and strengthen family connections.

Case planning: Relative visits and alternative care arrangements

At/before initial placement and during monthly visits, caseworkers and foster parents should discuss:

- How relatives will be incorporated for visits that maintain connections. Background checks are not required to authorize visitation that maintains connections and a sense of normalcy for children.
- A general idea of who a foster family uses for babysitting and child care.

Child care and babysitting for foster children

Child care is short-term care and supervision of children for less than 24 hours that occurs on a regular basis. When regular child care is needed, the foster home and legally responsible agency collaborate to determine an appropriate child care plan and supports available. Regular child care does not have to be in licensed child care. If regular child care occurs in a licensed foster home, the person providing care is considered

an employee or contractor of the applicant and must complete a background study. [Minn. Stat. 245C.03, subd. 1 (3)]

Babysitting is considered short-term care and supervision of children for less than 24 hours that occurs on an occasional basis; it may be in a foster home or in the home of the sitter. Background studies are not required for babysitters. See "[Children in Foster Care: Babysitting Guidelines](#)" for more information.

Overnights outside of licensed foster homes

Decisions consistent with the Reasonable and Prudent Parent Standard – such as sleepovers with friends – do not require prior authorization by the legally responsible agency.

When in the best interests of a child, the legally responsible agency can authorize overnights outside of licensed foster homes as part of case planning. This includes:

- Relatives who are interested in participating in the care and planning for a child, including respite, child care, and helping to maintain a child's familiar and regular activities and contact with friends and relatives. [Minn. Stat. 260C.221]
- Natural family supports of a foster family.

What is respite and substitute care?

In Minnesota, there are slightly different uses of the word "respite." The following legislation applies to respite:

- Minn. Stat. 260C.221, section (b)(3), provides that relatives may participate in care and planning for children in foster care, including "providing respite and vacation visits for the child."

- Per Minn. Rule 2960.3010, “Respite care” means temporary care of foster children in a licensed foster home other than the foster home the child was placed in. “Substitute care” means temporary care of foster children inside the foster home by someone other than the foster parent for overnight or longer. There are different qualifications for short-term (less than 72 hours of continuous care) and long-term care (more than 72 hours of continuous care, or more than 30 cumulative days of substitute care in a 12-month period) by substitute caregivers. See Minn. Rule 2960.3090 and [Family Systems document C26](#). Foster care providers are responsible to ensure that information be shared with substitute and respite caregivers, as required in Minn. Rule 2960.3090, subps. 4 and 5.

Whether a child is in a relative or non-relative placement, if respite care is needed, the legally responsible agency should consider options with a child’s relatives before arranging respite in a licensed non-relative home.

In non-emergency situations, respite care and substitute care must be agreed upon with the legally responsible agency 10 working days prior to the use of substitute or respite care. In an emergency, the license holder must notify the legally responsible agency of an emergency as soon as possible, including when respite care or long-term substitute care is being provided. [Minn. Rule 2960.3090, subp. 1]

Can someone who lives in another state be approved to be a substitute caregiver in the licensed foster home while foster parents go on vacation?

Yes! If the person is providing more than 72 hours of continuous care for a foster child, they must meet requirements of a long-term substitute caregiver, including completing a fingerprint-based background study within the past 12 months. [Minn. Rule 2960.3090] This may take considerably longer when a substitute caregiver currently lives or lived in another state in the past five years.

When licensing a family who plans to use substitute caregivers, the licensing agency should first license the home, applicant(s), and all household members. After a license is issued, add any additional background studies for non-household members. When the subject of a background study lives in another state, a hard card exception may be requested from the Minnesota Department of Human Services, Background Studies Division.

What about the Reasonable and Prudent Parent Standard?

The Reasonable and Prudent Parent Standard allows foster children to participate in extracurricular, social and cultural activities typical for their age, or are developmentally appropriate, without agency approval. The focus is on the needs of a child. This standard generally does not apply to alternative care arrangements, as these are typically based on foster parents’ needs; some of these arrangements can be authorized by the legally responsible agency as part of case planning, as detailed in the sections above.

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