

Child Care Centers and Homes Letter Series 2014-03

Date: December 15, 2014

To: All Child Care Providers

From: Jerry Hendrick, Director 
Child Care Licensing Division

Subject: Releasing a Child to a Parent Under the Influence of Alcohol or Drugs

As a child care provider, you may occasionally find yourself with a parent who appears to be intoxicated or who is obviously impaired due to drug usage when he or she arrives to pick up their child. The following guidelines represent suggestions for providers as a practical means of protecting children from being placed in serious danger.

If you are uncomfortable in releasing a child to a parent who appears to be incapacitated due to drug or alcohol use, you may offer to:

1. Keep the child in your care for an extended period of time.
2. Drive the parent and child home.
3. Drive the child either home or to a relative.
4. Call the parent's backup or someone you know who can drive or a taxi at the parent's expense.

If the parent refuses any of these offers:

5. Tell the parent that you feel it is not safe for the child to ride with him/her at this time and you will notify the police as soon as they leave your home.
6. If he/she drives away from your home with the child, call the local law enforcement unit in your area. Tell them why you are concerned for the safety of the child, the general area the driver will be traveling, and a description of the car.

It is important when you talk with the parent that you focus on the child's safety. Stay away from value judgments on the substance use. Look for facts such as slurred speech, lack of coordination or other evidence of impairment that cause concern for the safety of the child.

Please remember that you have no legal right to keep the child from his/her parent and your only recourse if suggestions 1, 2, 3, and 4 fail is to involve law enforcement. The goal is to minimize risk to children. You risk alienating the parent, but you may save a child's life.

If you have questions about this topic, please contact your licensing consultant.

cc: Child Care Licensing Consultants and Area Managers