

The Reasonable and Prudent Parent Standard

1.0 Hour SELF STUDY COURSE

In September 2014, Congress passed the “*Prevent Sex Trafficking and Strengthening Families*” Act, H.R. 4980. Compliance with this law is precipitating some important changes in Alaska’s child welfare system and these changes will impact foster parents. In this self-study, we will look at the “Reasonable and Prudent Parent Standard” and the participation of foster youth in social, enrichment, extracurricular and cultural activities. This law recognizes the need to make every effort to *normalize* the lives of foster children. Foster children have often been denied the opportunity to participate in typical childhood activities and foster parents may have been unsure or reluctant to sign permission slips for activities. Participation in normal childhood activities is important to a child’s emotional and social development and in learning basic life coping skills. The Federal Law establishes a “reasonable and prudent parent” standard for making these decisions This policy went into effect on October 1, 2015. In July 2022, the Reasonable and Prudent Parent Standard was included in the State of Alaska Foster Care Regulations (7AAC 67.200) in clarifying a resource family’s ability to allow a child in care to participate in extracurricular, enrichment, cultural or social activities and putting it into regulation instead of just in policy.

Specific provisions of the law in regards to the reasonable and prudent parenting standard allows foster parents to use their knowledge of the child’s age and developmental level in making reasonable decisions in the child’s life including:

- Allowing foster parents to decide whether the child may engage in social, extracurricular, enrichment, cultural, and social activities, including sports, field trips, and overnight activities
- Allowing foster parents to sign permission slips and arrange for transportation for the child to and from activities.
- Requiring foster parents to follow court orders and judgments which may impact those decisions. (For example, a child cannot go on a weekend trip if it violates a scheduled visitation time, unless otherwise approved.)
- Requiring the state to establish a youth rights document for youth 14 years and older describing that youth’s rights with respect to education, health, visitation, and court participation.
- Requiring training of foster parents to include “knowledge and skills relating to the reasonable and prudent parent standard”.

REASONABLE AND PRUDENT STANDARDS

The new Alaska policies allows foster parent to approve or disapprove activities without prior approval of OCS using a “prudent parent standard” for most social, extracurricular, cultural and enrichment activities. The term “reasonable and prudent parent standard” means.

- The foster parent makes a careful and sensible parenting decisions through the knowledge of the child’s age and developmental level

- The foster parent will consider the health, safety and best interests of a child while balancing the decision with a need to encourage emotional and developmental growth in a child.

Let's break it down. You as a foster parent can make more of the day to day decisions about a child's regular activities. But you are expected to use a "reasonable and prudent parent" standard. So think carefully when deciding if a foster child can participate in activities such as after school clubs, sports, sleepovers, field trips, or special events. Just like you would consider information about an activity before approving it for your own birth child, you should ask about any activity for a foster child questions such as: *Is it safe for this child? Is it appropriate for his age? Is there anything about this child's special needs that would make this activity inappropriate? Does this activity "normalize" life in foster care? Are other children and youth his or her age participating in this activity? Are the friends and parents that this child is spending time with appropriate and safe for the child to be alone with? Is this an activity that other children in the home of comparable age and ability participate in?* Some decisions will still require that a foster parent seek previous approval before a child can participate. These may be situations where birth parents need to be consulted or where licensing requirements require previous approval. Please see the table at the end of this article to compare when a foster parent can make the decision and when the social worker makes the decision.

NORMALIZING LIFE IN FOSTER CARE

The second part of the prudent parent standard is that children in custody are entitled to as normal a life as possible and are entitled to participate in age appropriate activities. Resource families should be helping children and youth participate in **Extracurricular** (i.e. sports, clubs); **Enrichment** (i.e. attending community events); **Cultural Activities** (i.e. participation in native dance groups); and **Social Activities** (i.e. sleepovers, dances). Participating in these activities will begin to be documented. When the child is placed in your home, you should be informed of his age and developmental level. As you get to know the child, find out what his friends and peers are doing, or children that are at the same developmental level. Try to discover a child's interest and help him find activities to participate in as he settles into your home

The child's social worker will start asking about participation in activities normal and appropriate for the age of your child when the social worker conducts monthly visits with the child and visits in your home. If you are not sure what activities are available or are having difficulty getting the child to engage in activities that you feel would be beneficial, talk with your social worker for ideas, talk to other foster parents or talk with the staff at the Alaska Center for Resource Families. These activities should be supported by your foster care stipend though in many cases, schools may waive participation fees for children in care. If you need assistance for fees related to special events, talk to your social worker about a *Special Request for Funds*.

Under this law, older children (14 years and older) will also be given more say in their participation in activities. As a foster parent, you should be talking with your youth to learn about his interest and help him participate in activities related to this interest. In the new policy, youth will be allowed have a representative of his choosing to advocate and advise the child on the areas where the prudent parent standard may apply. Youth over the age of 14 will be given a Youth Right Brochure which will outline the rights youth have in this matter.

If you and the child's worker are not in agreement on age and developmentally appropriate activities and you have not been able to come to resolution, you have options. You can ask the worker to set up a supervisory staffing to help come to a resolution, and if you still are not in agreement with the decision from OCS you can file a formal grievance. Remember, the purpose of these changes is to help children and youth have as normal a childhood experience as possible and help them participate in normal social and enrichment activities.

Appendix A: Common Situations

COMMON SITUATIONS	Resource Parent Can Give Permission/ Should Apply Reasonable and Prudent Parent Standard	Need OCS Permission/Birth Parent Permission or Paperwork
Travel and Trips	<p>Can include foster children on trips with the family less than 72 hours that don't take the family out of state. Resource parents can give the permission but need to notify OCS if out-of-home for more than 24 hours.</p> <p>Can include foster children in normal family recreational activities such as camping, hiking, fishing, and sports as long as required safety equipment is used (such as life preservers for boating and helmets when required for biking)</p>	<p>Instate trips must be requested 14 days in advance.</p> <p>Out-of-state travel must be requested 4 weeks in advance</p> <p>Out of country request need Governor approval and 8 weeks in advance</p> <p>Need prior approval if interferes with court ordered or family contact plans</p>
School Trip	Resource Parent can sign permission slip for activities that take child away from home for less than 72 hours	Activities where child will be gone for longer than 72 hours from home
Overnight Activities and Sleepovers	Resource parent can give permission using a reasonable and prudent parenting standard.	Activities where child will be gone for longer than 72 hours from home or if involves travel paid for by OCS
Extra-curricular, Social, Cultural or Enrichment Activities	<p>Extra curricular, social activities, cultural activities that fit the community norm and not considered high risk or are restricted by regulation or law.</p> <p>Arranging of transportation to and from activities</p>	Activities where child will be gone for longer than 72 hours from home or may interfere with court ordered family contact or are considered high risk.

Risk Activities	Participation in organized non-contact sports and risk activities usual in the community and appropriate for the child.	<p>Required to request advance permission from placement worker to participate in risk activities including:</p> <ul style="list-style-type: none"> • Handling of a firearm under supervision • Contact sports • Playing with propelled objects, such as paint guns, without constant supervision • Airborne activities other than approved transportation • For trips for children out of state, or trips longer than 72 hours
Haircuts	If the child requires normal upkeep of his current hairstyle, the resource parent is able and responsible to providing this. (If unsure about what is normal for the child, check with the case worker.)	Any haircuts which alter the child's appearance dramatically. Some families due to cultural, religious or personal reasons have strong views on the importance of hair or the reasons for haircuts. Parent or Guardian permission is needed.
Driver's License	Resource parent is not recognized by DMV as an eligible person to sign application form so permission needs OCS approval and consent of birth parent.	Can get driver's license with OCS approval and consent of birth parent or legal guardian. Caseworker or guardian of child must sign DMV application form. Must have insurance through responsible adult such as resource parent or relative.

ONLINE QUESTIONNAIRE

FOR INSTRUCTOR USE		
Pass?	Yes	No
1.0 Hour Credit	Yes	No

CORE HOMEWORK SESSION #4

1.0 Hour

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If you read the above entitled article and want foster parent training credit applied to your training requirement, fill out the following questionnaire and FAX it to 1-907-479-9666, mail to ACRF, 815 Second AVE STE 202, Fairbanks, AK 99701 or email to acrf@nwresource.org.

Name: _____ Email: _____

Address: _____ Provider#: _____

1) The reasonable and prudent parenting standard takes away the ability of foster parents to make decisions about daily activities and school involvement and gives more decision-making power to the social worker.

- _____ a) TRUE
- _____ b) FALSE

2) Who is able to give the permission for the following activities? (circle one)

Trips for less than 72 hours	Foster Parent	Caseworker
Signing for school permission slips	Foster Parent	Caseworker
Transportation to school activities	Foster Parent	Caseworker
Travel out of state	Foster Parent	Caseworker
Overnight activities	Foster Parent	Caseworker
High risk activities	Foster Parent	Caseworker

3) An important part of the new law includes the provision that resource families should be helping children and youth participate in extracurricular, social and cultural activities normal for their age and developmental level.

- _____ a) TRUE
- _____ b) FALSE

4) Foster parents will be asked about how they are encouraging youth to participate in normal activities by whom?

- _____ a) By caseworker on monthly visits
- _____ b) By licensing workers during the application process
- _____ c) By the local OCS Regional Manager
- _____ d) All of the Above

5) Youth over the age of 14 years old should be given a Youth Rights Brochure which will outline their rights in the matter of participating in normal activities.

- _____ a) TRUE
- _____ b) FALSE