

# Self-Study Course

## The Reasonable and Prudent Parent Standard: Information for Resource Parents

August 2022

### 1.5 Training Credits

This self-study course was developed by Aileen McInnis, for the Alaska Center for Resource Families. The information presented in this course is intended to help you learn about the very important change in policy that give foster parents more leeway in making decisions but also holds them to a standard of sensible decision-making based on a child's ability and developmental stage.

The questionnaire at the back of this course is a way for the Alaska Center for Resource Families to assess that you have read and understood the information provided. In order to obtain training hour credit for this course, please complete the questionnaire and return it to the address below. You may keep this self-study for further reference.



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[www.acrf.org](http://www.acrf.org)

# The Reasonable and Prudent Parent Standard: *Information for Resource Parents*

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In September 2014, Congress passed the “*Prevent Sex Trafficking and Strengthening Families*” Act, H.R. 4980. Compliance with this law is initiating some important changes in Alaska’s child welfare system and these changes will impact resource 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 resource 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 resource parents to use their knowledge of the child’s age and developmental level in making reasonable decisions in the child’s life including:

- Allowing resource parents to decide whether the child may engage in social, extracurricular, enrichment, cultural, and social activities, including sports, field trips, and overnight activities.
- Allowing resource parents to sign permission slips and arrange for transportation for the child to and from activities.
- Requiring resource 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 resource parents to include “knowledge and skills relating to the reasonable and prudent parent standard”.

## The Reasonable and Prudent Parent Standard

The focus of this part of the law is to “support normalcy for children in foster care.” That means that children and youth in foster care should be encouraged to have a normal a childhood as possible. In order to do that, resource parents are given more leeway to give permission for activities so that we don’t make it difficult for youth and children to participate in every day, developmentally appropriate activities.

The new Alaska policies allows resource parent to approve or disapprove participation in many activities without prior approval of OCS using reasonable and prudent judgment. This “reasonable and prudent parent standard” can be used for most social, extracurricular, cultural and enrichment activities. The term “reasonable and prudent parent standard” means:

- The resource parent makes a careful and sensible parenting decisions through the knowledge of the child’s age and developmental level
- The resource 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 resource parent can make more of the day to day decisions about a child’s participation in regular activities that are normal for a child’s experience. But you are expected to use a “reasonable and prudent parent” standard in making those decisions. Let’s look at what those words mean.

**Reasonable:** *Having sound judgment; fair and sensible, not excessive or extreme.*

**Prudent:** *Acting with or showing care and thought for the future, wise in handling practical matters*

Resource parents (in fact all parents) should use good judgment in deciding participation in activities and events, be fair and reasonable, and show care and wisdom in making decisions regarding a youth’s participation in activities. Note, this doesn’t mean that a youth will always be able to do what he/she wants, but a parent should be fair and reasonable when making the decisions. That is what is meant by decisions being made based on the “reasonable and prudent parent standard.”



## Making the Decision

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 questions about any activity for a foster child.

Questions to ask when you are considering the appropriateness of an activity might include:

- *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?*

As you can see, in some situations for some children, you would decide **yes** for participation in an activity and in other situations you would decide **no**. The answer depends on consideration of factors for a particular child and his/her needs. Foster families should also take into consideration the concerns and desires of the birth parents related to participation in activities, though birth parent desires don't necessarily determine the participation of the child in any activities.

Resource parents should seek information about what is considered normal development expectations for the age of the child in their care. Talk with other parents caring for children of similar ages or seek training or information from the Alaska Center for Resource Families or other child care or parenting agencies. Using a "reasonable and prudent parent standard," resource parents will still need to weigh this information against the particular needs and abilities of the child in their care. For example, an eleven year old boy with Fetal Alcohol Spectrum Disorder may have judgment skills more at the level of a six year old, so some extended after school activities may not be appropriate due to lack of ability to maintain well in a group for a long time.

For any activities where resource families are making a decision either to allow or not allow a child or youth to participate in an activity, it is advised that resource families make a written record of why they came to that conclusion and how they used a "reasonable and prudent parent standard." This is not required, but this practice will document that the resource parent gave thought to the decision and attempted to make a wise and considered decision. This would be especially important if it is anticipated that there may be disagreement about the decision from the caseworker or the youth.

## Where Is Approval Still Required?

Some decisions will still require that a resource parent seek previous approval before a child can participate in some activity. All statutes and licensing regulations must still be followed. Licensing regulations state that a resource parent will obtain advance permission from the birth parent or OCS in situations re

- Operation of a vehicle
- 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

Birth parents also have residual rights for visitations, consent to marriage, consent to military enlistment and giving permission for major medical care (including child taking psychotropic medications). These rights have not been affected by the “reasonable and prudent parent standard.”

Please see the table at the end of this article to compare when a resource 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. Youth in OCS custody should have access to those educational and social opportunities normally provided to non-custody youth. Granting resource parents more decision making authority should remove some of the barriers by making it easier for the permission to be granted. Resource families should be helping children and youth participate in:

**Extracurricular Activities:** This would include sports and after school clubs or organizations such as Scouts.

**Enrichment Activities:** This might include attending community events and happenings, going to museums or exhibits.

**Cultural Activities:** This may include participating in cultural group activities or classes such as participation in Alaska Native dance groups or cultural holiday events.

**Social Activities:** This would include age appropriate activities such as having a friend sleep over or going to a dance or sporting activity.

*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.*

Participating in these activities will begin to be documented in the OCS information system (also known as ORCA) by the child or youth’s caseworker. When the child is placed in your home, you should be informed of his/her 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.

*Your child's social workers will ask you about participation in activities normal and appropriate for the age of your child. So be prepared to talk about what your child is involved in. If you are unsure of what is available, or what might be appropriate, talk with your child's caseworker at this time or call the Alaska Center for Resource Families in your area for more information.*

The child's caseworker should be asking participation in activities normal and appropriate for the age of your child when the caseworker 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 foster child's caseworker for ideas, talk to other resource 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 child's caseworker about putting in a *Special Request for Funds* for assistance.

For youth who have APPLA (Another Planned Permanent Living Arrangement), the resource parent will be invited to the Administrative Review to discuss what developmentally appropriate activities the youth is participating in.

### **Special Considerations for Youth over the Age of 14 Years of Age**

Under this law, older children (14 years and older) will also be given more say in their participation in activities and in their case planning. As a resource parent, you should be talking with your youth to learn about his/her interests and help him participate in activities related to his interests. Research has shown that when foster youth engage in normal activities such as school activities, sports and social activities, they have better long term success in independent living and young adulthood. Certainly when youth are engaged in positive activities with positive social connections, their outcomes are much better than when they are isolated and made to feel different from their peers.

In the new policy, youth over the age of 14 will be given a **Foster Children's Bill of Rights** Brochure which will outline the rights youth have in this matter. 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. This **Foster Children's Bill of Rights** Brochure is included as **Appendix B** in this self-study. Youth over the age of 14 will be asked to read and sign this to insure they understand their rights. Resource families should also read and understand these rights.

### **What If You and Your Child's Caseworker, or Your Youth Don't Agree?**

As any parent of an adolescent knows, what you think is reasonable and wise as a parent may not be what your youth thinks. And what you think is developmentally appropriate for the youth in

your home may not be what another adult may think. So there may be situations where you and the youth in your home, or you and the caseworker may disagree.

If you and the child's caseworker are not in agreement on age and developmentally appropriate activities, or if you and your youth are not able to come to some kind of agreement, you have options. First of all, always start with talking and listening to the other person. Do they have a point? Think about the definitions of reasonable and prudent. Can you make a compromise or negotiate so that your family values and the youth's need to have a normal life can both be honored? Does the caseworker understand your reasons for your decisions? 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. If you and the youth disagree, work toward understanding each other and seeing if you can find a compromise or some place of agreement. Safety and foster family values are always important. So is the right of a foster youth to participate in normal, developmentally appropriate activities. Seek the balance between these two things.

If the differences cannot be worked out, or if you and the worker cannot come to a resolution, you can ask the worker to set up a supervisory staffing to help mediate. This is where the documentation of your application of the "reasonable and prudent parent standard" can be valuable for making your case for why you made the decision you did. If an agreement still cannot be reached, the legal custody of the child belongs to the Office of Children's Services and ultimately OCS can make the final decision. If the resource parent is still in disagreement with the decision and all the above channels have been used, resource parent can use the Complaint (Grievance) Procedure. Hopefully when we are talking about the process of encouraging youth to be part of normal and developmentally appropriate activities, you won't have to reach this point. Remember to use "the reasonable and prudent parent standard" to guide your decisions and try to be open about what others may see as normal activities for youth the age of the children in your home. As the parent, you need to balance those expectations with the needs and abilities of the specific child in your home.

## **For More Information:**

ACRF has materials to help you determine normal child development and adolescent development information. Call ACRF at 1-800-478-7307 or contact your nearest ACRF office. To learn more about the **Alaska Foster Children's Bill of Rights**, please review **Appendix B** or contact Facing Foster Care in Alaska either through their Facebook page or by calling (907) 230-8237.

The State of Alaska Office of Children's Services has included this information about the Reasonable and Prudent Parent Standard in the Child Protective Services Manual under the following sections:

### **6.5.4 Prudent Parent Standard**

### **6.5.8 Participation in Risk Activities**

### **6.5.10 Trips for a Child in Custody**

*Appendix A: Common Situations*

<b>COMMON SITUATIONS</b>	<b>Resource Parent Can Give Permission/ Should Apply Reasonable and Prudent Parent Standard</b>	<b>Need OCS Permission/Birth Parent Permission or Paperwork</b>
<b>Travel and Trips</b>	<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>
<b>School Trip</b>	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
<b>Overnight Activities and Sleepovers</b>	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
<b>Extra-curricular, Social, Cultural or Enrichment Activities</b>	<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.

<b>Risk Activities</b>	Participation in organized non-contact sports and risk activities usual in the community and appropriate for the child.	Required to request advance permission from placement worker to participate in risk activities including: <ul style="list-style-type: none"> <li>• Handling of a firearm under supervision</li> <li>• Contact sports</li> <li>• Playing with propelled objects, such as paint guns, without constant supervision</li> <li>• Airborne activities other than approved transportation</li> <li>• For trips for children out of state, or trips longer than 72 hours</li> </ul>
<b>Haircuts</b>	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.
<b>Driver's License</b>	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.

# Appendix B: Alaska Foster Children's Bill of Rights

The graphic features a central photograph of three foster children standing in a grassy field with mountains in the background. The word "ALASKA" is written vertically in large white letters on the left side. The title "Foster Children and Youth RIGHTS" is written vertically in white on the right side. The background is a vibrant blue and green abstract design with circular patterns.

## Youth 14+

**Youth 14-years and older**  
*CPS Policy 3.14.2.1*

You have a right to have a credit report done, as well as assistance to correct any errors on your credit report

You have a right to have two support people of your choice who are appropriate to help you with case planning

You have a right to access knowledge and skills on becoming a successful adult

You have a right to have access to programs and supports outside of Office of Children's Services to prepare for the future.

## Youth 18+

**Youth 18-years and older leaving Foster Care**  
*CPS Policy 3.20.1.A RIGHTS*

If you were receiving Medicaid when you aged out of foster care at age 18-years or older, you may be eligible for Former Foster Care Medicaid until age 26 through Department of Public Assistance.

If you were in foster care for at least 6 months, you have the right to receive the following documents when you exit care: birth certificate, social security card, health insurance documentation, medical record and identification card (or drivers license), BIA card, tribal card or tribal certificate.

I understand my rights. My rights have been explained to me.

If I have any questions I can contact my Regional Independent Living Specialist (RILS). My RILS name and phone number is:

The Office of Children's Services has the duty to protect your safety and at times, the rights you have may be limited due to safety concerns or directions from the court. If at any time you feel your rights are not being respected or you are not being heard, there are people you can contact. Your caseworker (Protective Services Specialist) or GAL/ CASA may be able to help or you may contact your attorney. If that does not help, you have the right to contact the Ombudsman's office at:  
1-800-478-2624

 **office of CHILDREN'S SERVICES**  
*state children forming families*

Bill Walker, Governor, State of Alaska  
Valerie Davidson, Commissioner,  
Department of Health & Social Services  
Christy Lawton, Director, Office of Children's Services  
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# TEST

## RESPECT

You have a right to be safe, well cared for, and avoid exploitation (harm)

You have a right to be who you are and to express yourself — [CPS Policy 1.1](#)

You have a right to tell someone when your rights are not being met — [AK Statute 24.55.100](#)

You have a right to go to school and get an education that fits your age and individual needs — [CPS Policy 6.5.9](#)

You have a right to protection against being discriminated against or harassed on the basis of your sexual or gender identity, age, race, disability, religion, and family history — [CPS Policy 1.3](#)

You have a right to practice your cultural and religious beliefs, and to be encouraged and supported in doing so — [CPS Policy 1.7](#)

You have a right to adequate personal possessions including clothing, and personal space in your bedroom to store your clothes and belongings — [CPS Policy 6.2.2.8](#)

You have a right to privacy and for your confidential information to be protected — [CPS Policy 6.1.2](#)

You have a right to participate in extracurricular, social and community activities (i.e. scouting, organized activities, sleepovers with friends who are appropriate, safe and in your best interest, etc.) — [CPS Policy 6.5.8 & 6.5.10](#)

## INFORMATION

You have the right to be informed and to be heard

You have a right to be notified of court hearings and meetings about you and your family (in an age appropriate manner) — [CPS Policy 6.6.3](#)

You have a right to bring a supporter(s) with you to meetings and court hearings — CINA Rule 3

You have a right to tell a judge what you want to have happen in your case — [CPS Policy 4.4.1](#)

You have a right to be educated and informed before changes are made to your case plan and placement — [CPS Policy 2.9.2](#)

You have a right to have access to your case plan and court record — [CPS Policy 6.1](#)

You have a right to talk to your attorney, CASA/GAL and caseworker (Protective Services Specialist) in private — [CPS Policy 3.2.1](#)

You have a right to tell a judge how you feel about your family, foster family, CASA/GAL, attorney and case-worker (Protective Services Specialist) — [AK Statute 4710.08018](#)

You have a right to have input on your permanency goals — [CPS Policy 2.9.5](#)

You have a right to know why you are in OCS custody and in foster care — [CPS Policy 2.9.1](#)

## HEALTH

You have health rights

You have a right to see a doctor, dentist, eye doctor or specialist for medical care — [CPS Policy 6.3.1](#)

You have a right to talk to a counselor or mental health clinician — [AK Statute 4710.084](#)

You have a right to be free of abuse and neglect — [CPS Policy 2.9.1](#)

You have a right to have a say about your medical and mental health care — [AK Statute 25.20.025](#)

## FAMILY

You have family rights

You have a right to have lifelong family connections and a permanent family — [CPS Policy 2.5.3](#)

You have a right to regular family contact when appropriate — [CPS Policy 6.5.6](#)

You have a right to be kept with siblings whenever possible — [CPS Policy 2.3.6](#)

You have a right to have extensive family searches completed — [CPS Policy 2.5.3](#)

You have a right to have access to a phone to contact appropriate friends and family members — [CPS Policy 2.9](#)

YOU HAVE THE RIGHT TO BE SAFE, ALWAYS

