

*Handouts for*

# **Creating Normalcy for Young People in Foster Care:** *A Webinar for Youth and Their Caregivers*

April 19, 2016

*Presenters*

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*Advocate and Foster Care Alumna*

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*Produced by*

Forsyth County Youth in Transition, SaySo (Strong Able Youth Speaking Out),  
the Jordan Institute for Families at the UNC School of Social Work,  
and the NC Division of Social Services

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Jim Casey Youth Opportunities Initiative

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### **Additional Resource**

Pokempner, J., Mordecai, K., Rosado, L. & Subrahmanyam, D. (2015, May). *Promoting normalcy for children and youth in foster care*. Philadelphia, PA: Juvenile Law Center. <http://jlc.org/resources/publications/promoting-normalcy-children-and-youth-foster-care>

# WEBINAR DISCUSSION QUESTIONS

1. What is normalcy to me?
2. What would I do differently (to promote normalcy)?
3. What do I need to do to have more normal opportunities?
4. How can I make it happen? (What do I need to do to have those normal opportunities?)

## Applying the Reasonable and Prudent Parent Standard

1. Is this activity reasonable and age-appropriate?
2. Are there any foreseeable hazards?
3. How does this activity promote social development?
4. How does this activity normalize the experience of foster care?
5. Will this activity violate a court order, juvenile justice order, a safety plan, a case plan, or a treatment plan or person-centered plan (PCP)?
6. Will this activity violate any policy or agreement of my licensing agency or the child's custodial agency?
7. If appropriate, have I received consultation from my case worker and/or the child's caseworker?
8. If able and appropriate, have I consulted with this child's birth parents about their thoughts and feelings about their child participating in this particular activity?
9. Will the timing of this activity interfere with a sibling or parental visitation, counseling appointment, or doctor's appointment?
10. Who will be attending the activity?
11. Would I allow my birth or adopted child to participate in this activity?
12. How well do I know this child?
13. Is there anything from this child's history (e.g. running away, truancy) that would indicate he may be triggered by this activity?
14. Does this child have any concerns about participating in this activity?
15. Has this child shown maturity in decision making that is appropriate for his age and ability?
16. Does this child understand parental expectations regarding curfew, approval for last minutes changes to the plan and the consequences for not complying with the expectations?
17. Does this child know who to call in case of an emergency?
18. Does this child understand his medical needs and is he able to tell others how to help him if necessary?
19. Can this child protect himself?
20. When in doubt, refer to number 7.

Adapted from Florida's *Caregiver Guide to Normalcy*

<http://www.kidscentralinc.org/caregiver-guide-to-normalcy/>

## REASONABLE AND PRUDENT PARENTING ACTIVITIES GUIDE DRAFT

The Reasonable & Prudent Parenting Standard is a requirement for IV-E agencies per Federal Law PL 113-183 and it became SL 2015-135 in North Carolina. The reasonable and prudent parent standard means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of North Carolina to participate in extracurricular, enrichment, cultural, and social activities. Normal childhood activities include, but are not limited to, extracurricular, enrichment, and social activities, and may include overnight activities outside the direct supervision of the caregiver for a period of over 24 hours and up to 72 hours.

This tool is a guide to identify what activities caregivers have the authority (includes signing permissions/waivers) to give permission for a child or youth's participation without the prior approval of their local child welfare agency or licensing agency. The first column in the table shows a category of activities, the second column identifies specific activities within that category that a caregiver has the authority to give permission (or sign whatever might be a part of the activity) without obtaining the agency's approval. The third column identifies those activities that do require the agency's or court's approval.

*It is important to realize this is simply a guide as to who has the authority to provide permission. It does not automatically mean that every foster child or youth can participate in any of these activities. It does mean that a reasonable & prudent parent standard is applied in making the decision. The standard is applied to each child and youth individually, based on the totality of their situation. One tool that can be used by caregivers to help apply critical thinking in making these decisions is the Applying the Reasonable & Prudent Parent Standard.*

<b>Child Activity Category</b>	Examples of normal Childhood Activities caregivers can approve independently	Examples of childhood activities the local child welfare agency or licensing agency must approve or obtain a court order
<i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i>		
<b>1. Family Recreation</b>	<ul style="list-style-type: none"> <li>• Movies</li> <li>• Community Events such as concert, fair, food truck rodeo</li> <li>• Family Events</li> <li>• Camping</li> <li>• Hiking</li> <li>• Biking using a helmet</li> <li>• Other sporting activities using appropriate protective gear</li> <li>• Amusement park</li> <li>• Fishing (must follow NC General Statute Chapter 113: Any one over age 16 must have a license)</li> </ul>	<ul style="list-style-type: none"> <li>• Any of these events or activities lasting over 72 hours</li> <li>• Target Practice (gun, bow and arrow, cross bow at either formal range or private property) must have local child welfare agency approval and be supervised by adult age 18 or over, abiding by all laws.</li> </ul>
<b>2. Water Activities</b> <b>(Children must be closely supervised and use appropriate safety equipment for water activities)</b>	<ul style="list-style-type: none"> <li>• Structured water activities with trained professional guides and /or lifeguards: river tubing, river rafting, water amusement park, swimming at community recreation pool.</li> <li>• Unstructured water activities with adult supervision: boating wearing a life jacket, swimming</li> </ul>	<ul style="list-style-type: none"> <li>• Any of these events or activities lasting over 72 hours</li> </ul>

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<i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i>		
<b>3. Hunting (using gun, bow and arrow)</b>		<p>Must have local child welfare agency approval, should have biological parent approval and would require the following:</p> <ul style="list-style-type: none"> <li>• Child/youth must take the NC Hunter's Safety Class</li> <li>• Supervision by a person at least 18 years old or over, who has also taken the above safety course</li> <li>• Documentation that the requirements are met are provided to the local child welfare agency in advance</li> </ul>
<b>4. Social/Extra-curricular activities</b>	<ul style="list-style-type: none"> <li>• Camps</li> <li>• Field Trips</li> <li>• School related activities such as football games, dances</li> <li>• Church activities that are social</li> <li>• Youth Organization activities such as Scouts</li> <li>• Attending sports activities</li> <li>• Community activities</li> <li>• Social activities with peers such as dating, skateboarding, playing in a garage band, etc</li> <li>• Spending the night away from the caregiver's home</li> </ul>	<ul style="list-style-type: none"> <li>• Any of these events or activities lasting more than 72 hours</li> <li>• Target Practice (gun, bow and arrow, cross bow at either formal range or private property) must have local child welfare agency approval and be supervised by adult age 18 or over, abiding by all laws.</li> <li>• Playing on a sports team such as school football would require both the birth parents' approval and the local child welfare agency approval</li> </ul>

<b>Child Activity Category</b>	Examples of normal Childhood Activities caregivers can approve independently	Examples of childhood activities the local child welfare agency or licensing agency must approve or obtain a court order
<i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i>		
<b>5. Motorized Activities</b>	<p>Children and caregivers must comply with all laws and use appropriate protective/safety gear. Any safety courses that are required or available to operate any of the vehicles/equipment listed must be taken.</p> <p>Children <u>riding</u> in a motorized vehicle with an adult properly licensed if required including but not limited to:</p> <ul style="list-style-type: none"> <li>• Snowmobile</li> <li>• All-terrain vehicle</li> <li>• Jet ski</li> <li>• Tractor</li> <li>• Golf cart</li> <li>• Scooter</li> <li>• Go-carts</li> <li>• Utility vehicle</li> <li>• Motorcycle</li> </ul> <p>State laws must be followed regarding operating motorized equipment or vehicle including but not limited to:</p> <ul style="list-style-type: none"> <li>• Snowmobile</li> </ul>	<ul style="list-style-type: none"> <li>• Children may not be a passenger on a lawnmower.</li> </ul>

<b>Child Activity Category</b>	Examples of normal Childhood Activities caregivers can approve independently	Examples of childhood activities the local child welfare agency or licensing agency must approve or obtain a court order
	<ul style="list-style-type: none"> <li>All-terrain vehicle (must be 8 years of age to operate and anyone less than 12 years of age may not operate an engine capacity of 70 cubic centimeter displacement or greater; no one less than 16 may operate an engine capacity of 90 cubic centimeter displacement or greater and NO ONE under 16 may operate unless they are under the continuous visual supervision of a person 18 years or older per <a href="#">NC § 20-171.15</a>)</li> <li>Jet ski (may be 14 years of age with boating safety certification, otherwise must be 16 or older- <a href="#">NC § 75A-13.3</a>)</li> <li>Tractor (must be 15 to operate <a href="#">NC § 20-10</a>)</li> <li>Golf cart (must be 16 to operate <a href="#">NC § 153A-245</a>)</li> <li> Scooter/Moped (No one under age 16 may operate a moped and no license is required <a href="#">NC § 20-10.1</a>)</li> </ul>	<p><i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i></p>

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	<ul style="list-style-type: none"> <li>• Go-carts</li> <li>• Utility vehicle</li> <li>• Lawn mower may not be operated by anyone below age 12</li> <li>• Motorcycle (No one under 16 may acquire a license or learner's permit. No one less than 18 may drive a motorcycle with a passenger. <a href="#">NC § 20-7</a>)</li> </ul>	

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<i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i>		
<b>6. Driving</b>	<p>The following persons can be the required second signature for a youth's permit or license:</p> <ul style="list-style-type: none"> <li>• Youth's parent or guardian</li> <li>• A person approved by the parent or guardian</li> <li>• A person approved by the Division</li> <li>• Specifically for children in custody: Guardian ad litem or attorney advocate; a case worker; or someone else identified by the court of jurisdiction</li> </ul> <p>The youth who is 16 or older may acquire insurance and is responsible for the premium and any damages caused by the youth's negligence. This does not preclude a foster parent from adding a youth to their insurance.</p> <p>A driver's permit is required to "practice" driving in NC and cannot be obtained prior to age 15.</p>	

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<i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i>		
<b>7. Travel</b>	All travel within the United States less than 72 hours	<ul style="list-style-type: none"> <li>• All travel more than 72 hours</li> <li>• All travel outside the country</li> </ul>
<b>8. Employment/Babysitting</b>	Youth 14 years and older and following <a href="#">NC § 95-25.5</a> . <ul style="list-style-type: none"> <li>• Interview for employment</li> <li>• Continuation of current employment</li> <li>• Does not interfere with school</li> </ul>	Youth is 13 years or younger
<b>9. Religious Participation</b>	*Sexually aggressive and physically assaultive youth may not babysit other children  Attend or Not attend a religious service of the child's choice	Notify worker when the child and the biological parent and/or foster parent choices are in conflict.
<b>10. Cell Phone</b>		This is a collaborative decision between the placement provider, the local child welfare agency worker, and the youth.

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<i>(Local child welfare agency or licensing agency approval or new court order is needed any time an activity is in conflict with any court order or supervision/safety plan)</i>		
<b>11. Child's Appearance</b>	<ul style="list-style-type: none"> <li>Interventions requiring medical treatment for lice and ring worm</li> </ul>	<ul style="list-style-type: none"> <li>When the child and biological parent choices are in conflict such as with perms, color, style, relaxers, etc.</li> <li>Ear piercings must include biological parent in decision</li> <li>Permanent or significant changes including but not limited to:               <ul style="list-style-type: none"> <li>Piercing (Per <a href="#">NC § 14-400</a> it is illegal for anyone under 18 to receive a piercing (other than the ears) without consent of custodial parent or guardian.</li> <li>Tattoos (Per <a href="#">NC § 14-400</a> it is illegal for anyone under 18 to receive a tattoo.)</li> </ul> </li> </ul>
<b>12. Leaving child home alone</b>		<ul style="list-style-type: none"> <li>The issue of being left alone (in any situation) needs to be discussed and agreed upon in CFT.</li> </ul>

\*Adapted from Washington State Caregiver Guidelines for Foster Childhood Activities

# Navigating reasonable and prudent parenting by Teresa Strom

For years, many young people in foster care have been prevented from participating in everyday activities essential for their development and for a successful transition to adulthood. Because of real and perceived legal and policy constraints, many have missed out on the chance to engage in simple, commonplace activities such as going to a friend's house, taking a school trip, working a job after school, joining a club, dating, attending the prom, and learning to drive (Pokempner, et al., 2015).

To address this problem, recent federal and state laws have introduced the "reasonable and prudent parent standard." This standard, which went into effect in North Carolina on October 1, is something foster parents, group homes, and child welfare professionals should understand well.

## The Standard

Earlier this year, in response to

federal legislation (Public Law 113-183), North Carolina passed Senate Bill 423, also known as the "Foster Care Family Act."

According to this law, foster parents and group homes must use the reasonable and prudent parent standard when deciding whether children and youth in foster care can participate in normal childhood activities. This standard is really no different than the standard most parents use when making decisions about children's activities.

The standard states that foster parents and group homes must consider the health, safety, and best interests of each child and youth, as well as their needs and situation, when deciding whether they can do things such as playing school sports or going on an overnight field trip.

The law explicitly states that children and youth in foster care are to be allowed to participate in extracurricular, enrichment, cul-

tural, and social activities as long as those activities are appropriate to the child's age, development, and maturity level. The child's cognitive, emotional, physical, and behavioral capacities must also be taken into consideration to identify suitable activities for them.

## The Standard in Action

What does the reasonable and prudent parent standard look like when it is applied in the day-to-day activities of children and their caregivers? Although the standard sounds straightforward, there is no black and white answer to this question. Following the standard means carefully applying it to each individual child and youth in foster care. To help foster parents, social workers, child-placing agencies, residential child care facilities, and

The standard's emphasis on normalcy is the right thing for children and youth in foster care.

other institutions in their decision making about which activities youth and children in foster care participate in, the NC Division of Social Services has developed two tools:

1. *Applying the Reasonable and Prudent Parent Standard*  
<http://bit.ly/1GAsaEL>
2. *Reasonable and Prudent Parenting Activities Guide*  
<http://bit.ly/1RxWiad>

The scenarios below illustrate what it is like for a parent to apply the reasonable and prudent parent standard. These scenarios aren't black and white, but they do depict the critical, careful, sensible thinking the standard requires.

It is important to realize that the reasonable and prudent parent standard must be applied individually to *continued next page*

## Two Illustrations of Applying the Standard



### Adam

You've been a foster parent for eight years. Adam is an 11-year-old in foster care. He's lived with you for 13 months. When Adam first came to you, the agency didn't know much about him. His grandmother, who was his primary caretaker, had died. His father is unknown. Due to her substance abuse, his mother has had little contact with Adam over the years.

Adam appeared to have some issues with authority, often appeared angry, and did not like school. His only activity aside from school and going to church with you has been weekly therapy. You have worked to provide structure for Adam and he has not had any serious behavior issues in the home for the last 8 months.

### Adam's Opportunity, Your Decision

Adam recently made honor roll and the school is planning a special overnight field trip for everyone on honor roll to see a professional baseball game. Adam has come home excited about the field trip and asks you for permission to go. You want to be sure to correctly apply the reasonable and prudent parenting standard as you make this decision, so you do the following.

- You consult NC's *Reasonable and Prudent Parent Activities Guide*. It tells you that a foster parent can provide approval for a school field trip lasting less than 72 hours without notifying the child's social worker.
- Next, you consult *Applying the Standard*. Participating in this extracurricular activity is reasonable and age-appropriate for Adam and would promote both his social development and his self-confidence. It would also help him feel like all the other children at school who earned the trip. You know several parents who are planning to go on the field trip, including a neighbor who knows Adam. His participation in this trip would not contradict a court order or safety plan. You are not aware of any other issues or concerns that should prevent Adam from participating in the field trip.

Based on all this, you tell Adam he can attend the overnight field trip and you sign the permission slip.



### Lukas

You've been a foster parent for three years. Lukas, a 15-year-old, has been with you for three months. This is his second placement. He came into foster care through delinquency court for shoplifting. He also has a history of exposing himself to girls, although this has not happened since he has been in your home.

Lukas is the youngest of four boys. His mother passed away years ago and his father says he can no longer manage Lukas' behaviors. Two of Lukas' brothers are incarcerated; Lukas doesn't know where his other brother is.

Lukas follows the rules of your house. He is not involved in any extracurricular activities and has struggled to make friends at school. He also seems lonely.

### Lukas' Opportunity, Your Decision

Lukas comes home saying he has been invited to hang out at a male classmate's house to play video games next Friday night. You want to be sure to correctly apply the reasonable and prudent parenting standard as you make a decision about this, so you do the following.

- You consult NC's *Reasonable and Prudent Parent Activities Guide*. It tells you that a foster parent can provide approval for normal childhood social activities outside the foster parent's direct supervision without notifying the child's social worker.
- Next, you consult *Applying the Standard*. You believe Lukas has been doing well overall. This activity would be good for Lukas' self-esteem and confidence. It doesn't interfere with his schedule.
- You don't know Lukas' classmate's family, so you call them. You learn that in addition to their son, there are also two daughters in the home. You conclude the call but don't commit, saying you still need to discuss the plans. You're concerned about Lukas being around the girls in the classmate's home with less supervision and worry that might trigger Lukas to expose himself.

Based on the circumstances, you decide to ask Lukas to invite his classmate over to your house instead, so that he can still benefit from this activity.

# Navigating

continued from previous page

each child and youth, based on the totality of their situation. The standard and the passage of the Family Foster Care Act do not mean that every foster child or youth can automatically participate in anything. It means that foster parents and social workers must use all the tools at their disposal—including shared parenting, child and family team meetings, and monthly visits—to ensure they have a good grasp of the child's strengths, needs, and skills. They must also engage the birth family (if their whereabouts are known) so they can express their desires for their children.

## Conclusion

The emphasis on normalcy that comes with the reasonable and prudent parent standard is the right thing for children and youth in foster care. When they are grown they should be able to recall their childhood friends, the field trips they went on, and the other childhood experiences so many of us take for granted. It's up to us to find balance in addressing the needs that bring children and youth into foster care while still allowing them to grow up with normal childhood memories.

Teresa Strom is the Child Welfare Services Local Support Team Leader for the NC Division of Social Services.

## Applying the Reasonable and Prudent Parent Standard

1. Is this activity reasonable and age-appropriate?
2. Are there any foreseeable hazards?
3. How does this activity promote social development?
4. How does this activity normalize the experience of foster care?
5. Will this activity violate a court order, juvenile justice order, a safety plan, a case plan, or a treatment plan or person-centered plan (PCP)?
6. Will this activity violate any policy or agreement of my licensing agency or the child's custodial agency?
7. If appropriate, have I received consultation from my social worker and/or the child's social worker?
8. If able and appropriate, have I consulted with this child's birth parents about their thoughts and feelings about their child participating in this particular activity?
9. Will the timing of this activity interfere with a sibling or parental visitation, counseling appointment, or doctor's appointment?
10. Who will be attending the activity?
11. Would I allow my birth or adopted child to participate in this activity?
12. How well do I know this child?
13. Is there anything from this child's history (e.g., running away, truancy) that would indicate he may be triggered by this activity?
14. Does this child have any concerns about participating in this activity?
15. Has this child shown maturity in decision making that is appropriate for his age and ability?
16. Does this child understand parental expectations regarding curfew, approval for last minute changes to the plan, and the consequences for not complying with the expectations?
17. Does this child know who to call in case of an emergency?
18. Does this child understand his medical needs and is he able to tell others how to help him if necessary?
19. Can this child protect himself?
20. When in doubt, refer to number 7.

Adapted from Florida's Caregiver Guide to Normalcy <http://www.kidscentralinc.org/caregiver-guide-to-normalcy/>

## Witnessing a Change in Foster Care

On July 2, 2015, the Governor signed a new law called the Foster Care Family Act (SB 423). Governor McCrory asked that SaySo be represented on this day. SaySo supporters and foster care alumni Chaney Stokes, Roman Rys, and Marcella Middleton were present, as was Nancy Carter, SaySo's chief administrator.

After touring the Governor's mansion, Chaney, Roman, and Marcella were invited to stand with the Governor as he signed this bill which, among other things, will allow youth in foster care to participate in "normal" activities such as field trips, extracurricular activities, sleepovers with friends, and obtaining a driver's license. To top things off, the Governor gave each of them one of the pens he used to sign his name to the bill. What a souvenir!

At right are some of Chaney, Roman, and Marcella's thoughts about this momentous occasion.

SB 423 is affectionately known as the "normalcy act." SaySo members have actively participated in helping to establish guidelines for caregivers and DSS representatives to implement this new law. SaySo is proud to be part of this process from its conception. After almost 18 years, young adults in foster care are being heard and their suggestions and ideas are being implemented.



SaySo alumni were invited to witness Governor McCrory sign SB 423 into law. Chaney Stokes, Marcella Middleton, and Roman Rys were joined by Senator Tamara Barringer and others for this historic moment.



### Chaney Stokes

*"As a former foster youth, I felt many emotions the day SB 423 was signed. Tears filled my eyes as Governor McCrory lifted his pen. This law is such a blessing to the young people who are currently in foster care. Although this change does not directly impact me, the fact that it will help those whom I've dedicated my life to advocating for brings me great joy."*



### Roman Rys

*"Being at the event . . . gave me an uplifting, victorious, almost overwhelming emotion. Now youth will be able to get their driver's license before turning 18. Foster parents will now receive liability insurance so that when foster youth placed with them have something severe happen to them (e.g., broken leg when playing football) they will have financial assistance. These are good changes."*

*However, this is just one step. Some youth in the substitute care system will thrive because of this change. Yet others will still be falling through the cracks of the system. We as well as lobbyists, politicians, stakeholder groups, non-profit organizations, and others must keep listening to individuals who have experienced substitute care. We must continue to use their input to make practical changes in policy to benefit minorities in substitute care. Some are still not receiving the resources needed to be successful. We must make the effort needed to make policy change one step at a time."*



### Marcella Middleton

Marcella says she remembers that many years ago her foster family saved so they could bring her and her sister to Disney World. That request was denied, but the memory of that missed opportunity has not been forgotten. Now, families will be able to take their foster children on vacation and be a real family together.



## **Town Hall Meetings**

Strong Able Youth Speaking Out, Inc. (SaySo) is partnering with Youth In Transition of Forsyth County, NC DHHS, Independent Living Resources, Inc. and UNC-Chapel Hill to help educate and inform youth in care, resource parents, caregivers and other key stakeholders connected to the NC child welfare system regarding Prudent Parenting Standards and the “Normalcy” Act. SaySo, Inc. has partnered with six County Dept. of Social Services agencies to host youth and caregiver focused “Town Hall” meetings.

Town hall meetings are gatherings that will serve as an opportunity for Dept. of Social Services, youth in care, resource parents, caregivers, and other community stakeholders to come together and discuss the “Normalcy Act”. Each “group” will share how the new legislation will positively impact them and to have conversations with youths and caregivers in the county to help everyone assume their respective responsibility in helping create more normal opportunities for our young people. These conversations will be facilitated by young adults from the SaySo Organization.

Prior to the Town hall meetings, everyone will view the webinar, and then discuss the information from the presentation provided in a “Town Hall” strategy format. This format, allows rewarding conversations with youth in care, social workers, and caregivers about the standards and the impact of the new legislation. This opportunity, allows for:

- Youth to understand what “Normalcy” means and how this law directly impacts them;
- Resource parents and caregivers to share what support they need to be able to make decisions for the young people in their care;
- Provide space for the local community to give input, share concerns and ask questions;
- Allow EVERYONE to discuss how to create more normal opportunities for young people in foster care.

### **Town Hall Meetings are being held on April 19<sup>th</sup> in:**

Forsyth  
Gaston  
Halifax  
Wake



### **Town Hall Meetings will take place in May:**

Buncombe: Date TBD, please contact Amy Huntsman at 828-785-3698  
Onslow County: Date TBD, please contact Monique Allen at 910-219-1941

For additional information regarding the Town Hall meetings, please contact Carmelita Coleman at: 919-384-1457 or [carmelita.coleman@ilrinc.com](mailto:carmelita.coleman@ilrinc.com)

**Creating Normalcy for Young People in Foster Care**  
*A Webinar for Youth and Their Caregivers*

**Welcome!**

Please click on the colored link below to download the handout for today:  
April 19, 2016 webinar handout

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**Agenda**

- Orientation & introductions
- What is “normalcy” to me?
- What does the law say?
- What will all this mean for my life?

*Plenty of time for questions!*

Normalcy • April 19, 2016 Webinar 2



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**Panelists**

- Marcella Middleton
- Wanda Douglas
- Tony Douglas
- Erin Conner

**Moderator**

- Laura Phipps

**Tech Support**

- Phillip Armfield
- John McMahon

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**Discussion Questions**

- What is normalcy to me?
- What would I do differently?
- What do I need to do to have normal opportunities?
- How can I make it happen?



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**What is**  
***normalcy***  
**to me?**

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*Normalcy is the opportunity to participate in simple, commonplace activities such as going to a friend's house, taking a school trip, working a job after school, joining a club, dating, attending the prom, and learning to drive.*

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### Why did the law change?

- For years, young people in foster care have been prevented from participating in everyday activities essential for their development and for a successful transition to adulthood.
- Because of real and perceived legal and policy constraints, many have been denied the chance to participate in “normal” activities. Recent federal and state laws have been passed to address this problem.

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### Normal Activities Are . . .

- Activities that all youth enjoy
- School sports, clubs, events
- Opportunities with friends
- Opportunities to be myself
- Opportunities to explore interests and career potential



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Normal Activities Make a Difference . .

- “Typical” development
- School performance
- Healthy, positive relationships
- Identity
- Resiliency



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What does the *law* say?

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Preventing Sex Trafficking and Strengthening Families Act (H.R. 4980)

Includes normalcy provisions including “Reasonable and Prudent Parent Standard”

States must:

- Implement this standard by Sept. 29, 2015
- Revise licensing rules to incorporate this standard
- Provide training to foster parents on the standard

**FEDERAL LAW**

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### NC's Foster Care Family Act (SB 423)

- Signed into law July 2, 2015
- Most provisions effective Oct. 1, 2015

**Key sponsor:**  
**Sen. Tamara Barringer of Wake Co.**



Full text of the law:  
<http://www.ncleg.net/Sessions/2015/Bills/Senate/PDF/S423v7.pdf>

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### Reasonable & Prudent Parent Standard

- Careful and sensible parental decisions related to allowing a young person in foster care to participate in...
  - Extracurricular activities
  - Enrichment activities
  - Cultural activities
  - Social activities
- Intended to maintain health and safety while encouraging growth

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### Standard Applies to . . .

- Family foster care and therapeutic foster care parents
- Youth caring institutions
  - Each agency must have designated person
- Unless court orders otherwise



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### Giving / Withholding Permission

- Caregivers and foster parents have the authority to give or withhold permission without prior approval of the court or the child welfare agency for certain activities
- Permission to participate is not automatic
- If permission is withheld
  - Safety concerns
  - Behavior concerns
  - "Getting to know you.."



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### Resource Parent Liability or "Risk"

*when applying the R&PP Standard*

- Not liable if acting in accordance with the reasonable and prudent parent standard
- Liable if they are negligent / don't follow the reasonable and prudent parent standard



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### How Many Children in DSS Custody Might Be Thinking about Driving?

10,282 children in DSS custody in NC on 2/29/16

Of these, 28.78% were age 13 and older:

- ▶ Age 13-17: 2,564
- ▶ Age 18+: 395



Source: <http://ssw.unc.edu/ma/>

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**Reducing Barriers to Driving**  
*from Family Foster Care Act (SB 423)*  
Effective October 1, 2015

- Youth 16+ in DSS custody can purchase auto insurance
- Youth are responsible for premiums and responsible for damages

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**Who Can Co-Sign Licenses/Permits**

- For youth in DSS custody:
  - a. GAL
  - b. DSS director or designee
  - c. If not a or b, then the Court

**NEW**

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**What do foster parents need to know?**

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### Foster Caregivers & Resource Parents

- “Permission to parent”
  - Make careful and sensible decisions that maintain the youth’s health, safety, and best interest
- Do not automatically say “no” just to manage risk
- Protection from liability when applying the standard



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### Foster Caregivers

#### “Confidence to Parent”

- Training
- Communicate regularly with youth welfare agency, licensing agency, and youth’s family
- Participate in Shared Parenting, CFTs, and court hearings
- Advocate and encourage youth’s emotional and developmental growth



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### Foster Caregivers

- Get adequate info. about youth so you can make good decisions.
- Consider *where* the activity will be held, *who* youth will be with, and *when* youth will return.
- Ask: is this an age-appropriate extracurricular, enrichment, or social activity for the youth?
- Take into account:
  - Youth’s mental and physical health and behavioral capacities
  - Any reasonably foreseeable risk and what safety factors and direct supervision may be involved in order to prevent potential harm to youth (i.e., hunting, etc.)



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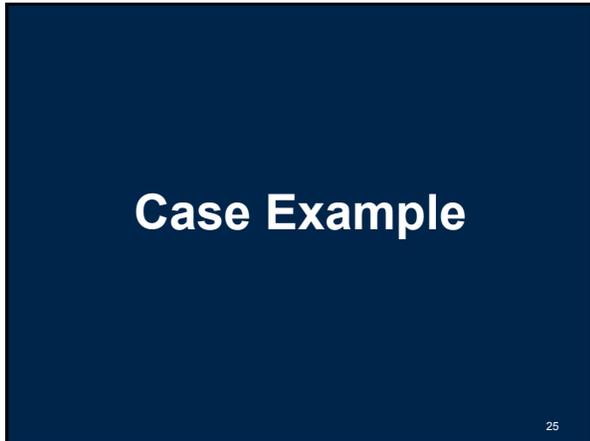
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### Case Example

- 15-year-old girl in your care asks permission to try out for school soccer team
- If she makes the team she must attend practice every day after school for 3-4 months.
- During season she'll have games 1-2 evenings per week, some at home, some at other schools in the county.
- Her grades are mostly B's and C's.
- She visits with her birth family once a week and has a counseling appointment every other week.
- Foster Parents do not enjoy athletics (did not allow birth children to play team sports in high school) so are unfamiliar with what's involved.



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### Case Example (*My Perspective*)

Things youths and foster parents may consider when applying the standard: (What else should I think about?)

- Talk to birth family/ social worker about whether they support this young person playing soccer.
- Talk to soccer coach to discuss length of practice.
- Find out if counseling appointment could be on Saturday.
- Talk to friends/family or ask coach for names of families already involved that you can talk with.
- Talk with soccer coach about equipment costs.



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# What will all this mean for *my life*?

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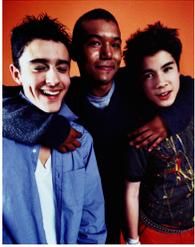
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## Youth in Foster Care

- Respect
  - Foster care is a legal status, not a personality trait.
- Empowerment
  - Transition plans for older youths in care
- Normalcy
  - Improved outcomes for youth



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## What Youth Can Expect

- Involvement in “Normal Activities”
  - School activities
    - Sports
    - Clubs
    - Events
  - Hangout time friends
    - Overnight stays and outings
  - Traveling inside and outside of the state
  - Obtaining your driving license/permits
- Fewer layers of permission involved in “normal” activities

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**How Can Youth Advocate for Normalcy?**

- Know and understand the R & P standard. Some things still need lots of approval.
- Realize money for normal activities may not be available. Maybe you can help find or earn the money needed?
- Understand you have to accept the responsibilities and consequences of normal activities
- Communicate with your caregivers. Build a good relationship of trust.
- Realize it may take time for normalcy standards to become common practice.

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**Resources to help me**

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**Reasonable and Prudent Parenting Activities Guide**

- Identifies activities caregivers have authority to give permission for foster youth participation – **but *not* a comprehensive list!**
- Organized by activity type; gives examples of when caregivers can give permission and when agency approval is required

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**Category: Family Recreation**

**Caregivers Can Approve**  
**Examples**

- Movies
- Community events such as concert, fair, food truck rodeo
- Family events
- Camping
- Hiking
- Biking using a helmet
- Other sporting activities using appropriate protective gear
- Amusement park
- Fishing  
*(must follow NC General Statute 113)*

**youth welfare agency approval or court order needed**  
**Examples**

- Any of these events or activities lasting over 72 hrs.
- Target Practice (gun, bow and arrow, cross bow at either formal range or private property) must have local youth welfare agency approval and be supervised by adult age 18 or over, abiding by all laws

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**Next Steps**

1. Town Hall Meetings
2. Bill of Rights
3. Other?

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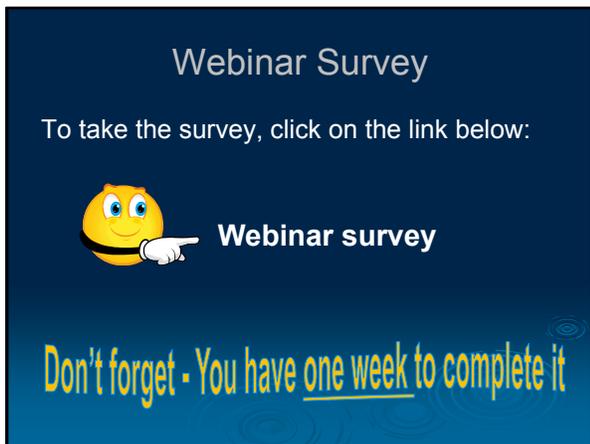
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