

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

September 14, 2016

M E M O R A N D U M

What's Inside:Normalcy for
Youth in Foster
Care

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS,
PROGRAM MANAGERS, SPECIALISTS, SUPERVISORS, AND
CENTRAL OFFICE STAFF

FROM: TIM DECKER, DIRECTOR

SUBJECT: Reasonable and Prudent Parenting and Normalcy

DISCUSSION:

The purpose of this memorandum is to discuss federal and state legislation passed which addresses the issues of normalcy and reasonable and prudent parenting standards. In September 2014, President Obama signed [H.R. 4980, the Preventing Sex Trafficking and Strengthening Families Act](#). In Missouri during the 2016 legislative session, [HB 1877](#) was passed which supports compliance of the federal legislation. The sections in state statute are 210.660 – 210.675 RSMo.

The legislation provides a designated caregiver is assigned to each youth in the custody of the Division. The youth designated caregiver has the authority to make reasonable decisions involving the youth's participation in extracurricular, enrichment, cultural, and social activities. These decisions are to be made using the reasonable and prudent parent standard which means the decisions are characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a youth while at the same time encouraging the emotional and developmental growth of the youth.

At time of placement the Resource Parent(s) is the designated Reasonable and Prudent Parent. Letters of custody that are given to the Resource Parent to verify placement with them should include language that designates them as such. Local offices should add wording to their local letters, for example:

The persons listed in this letter that are providing care for the named child(ren) are given the designation of Reasonable and Prudent parent for purposes of making routine and normal decisions involving the child(ren).

In the case of residential care, each facility shall designate specific staff that will act as the reasonable and prudent parents. The facilities will communicate with the Division on what staff has been designated to fill this role.

While we may take these activities and experiences for granted, these “normal” experiences help youth develop interests, acquire skills, and build lasting, supportive relationships. As part of this normalcy, the Division and Resource Providers will recognize that the opportunity for mistakes by youth is also a part of positive and normal development. Due to real and perceived constraints, foster youth are often denied the chance to participate in the everyday activities essential for their successful transition to adulthood. Consequently, youth who “age out” of the foster care system experience worse life outcomes than their peers, including homelessness, unemployment, and poverty.

Implementation of the new law’s normalcy provisions is only one step toward a larger goal of creating a child welfare system which is more developmentally appropriate. Such a system is trauma informed, and responsive to the needs and voices of youth and emerging adults. Normalcy is truly achieved when children and youth learn skills, take advantage of opportunities, and develop relationships while growing up in a stable, loving family and a supportive community.

Out-of-home placements are not “normal” living situations for youth and consequently increase the need for normal opportunities to be provided. The legislation gives foster parents and other resource providers the ability to act as the parental authority in situations involving parental decisions which is what would normally happen if the youth were living with a parent. The law is intended to reduce stigma attached to youth in foster care by increasing opportunities for extracurricular and social activity participation – all which are part of life skills, developing interests, and building relationships and connections. Resource providers, although expected to keep a youth’s safety in mind, should allow youth placed in their home or facility to experience a variety of activities just as other parents do for their children.

Part of prudent parenting includes care providers making decision for the youth in out of home placement as they would make for their biological child of the same age and that it is applied in the same manner – as a youth, not a youth in foster care.

- Over time, various practices have developed throughout the state that may substantially interfere with the rights of youth in foster care to enjoy “normalcy”. The implementation of the Reasonable and Prudent Parent standards may result in significant changes in practices in circuits. Best practice would necessitate engagement of the youth and youth’s parents in talking through many decisions in a child’s life but, ultimately, the designated caregiver will now be able to make decisions about a youth’s daily life just as they would for their own child. Examples of these changes would be: Youth shall be allowed to ride in cars with other individuals outside of the Children’s Division or Foster Care Case Management Agency in order to participate fully in normal activities with the permission of the care provider. Background checks, copies of driver’s licenses, and proof of insurance are not specifically required.
- Youth shall be allowed to travel out of state with resource and care providers, or other individuals in which the resource or care provider deems appropriate. The resource and care provider shall notify the Children’s Service Worker of the travel if it will be over 48 hours. An email, text, or voicemail will serve as notification.
- Youth shall be allowed to participate in normal activities outside of the home such as Prom, spending the night with a friend, participating in a school or church

event or trip without formal background checks being conducted. If the Children's Service Worker deems it necessary to conduct a background check on an individual the youth will be spending time with, the Children's Service Worker shall have Regional Director approval prior to requesting and conducting the check. If a background check is deemed not necessary, the check will not prohibit the youth from participating in the activity. Timeliness of requests may not be a factor in creating a barrier for youth to participate.

Included with this memo is a RPPS Tip Sheet which provides additional information on the Reasonable and Prudent Parenting Standards.

Moving forward, Children's Service Workers and Supervisors shall discuss at every Family Support Team meeting what normalized experiences the youth has had and explore additional opportunities. In addition, every youth age 13 and over is permitted to invite up to two (2) advisors to attend the FST and PPRT meetings with them. The FST members have the authority to limit who these advocates can be based on the child's safety and well-being. The team must communicate its reasons for denying the child's chosen advocate to the child prior to beginning any meeting. The case manager shall document that the Family Support Team discussed the opportunities for normalized experiences for the child in a FACES contact entry. For youth 14 and older, this information shall also be documented on the CD-94 Adolescent FST Guide & Individualized Action Plan.

Normalcy, and how this can be integrated into the daily lives of youth in foster care through creating opportunities and reducing barriers, will continue to be a focus of our practice. By creating opportunities for normalized experiences for youth in foster care, we aid in reducing the trauma experienced.

The Children's Division has been working with the Center for States Capacity Building to develop additional resources to assist staff and providers in this work and these will be shared as they are developed and implemented.

NECESSARY ACTION	
<ol style="list-style-type: none"> 1. Review this memorandum with all Children's Division staff. 2. All questions should be cleared through normal supervisory channels and directed to: 	
PDS CONTACT Jason Kearbey 417-895-6414 Jason.L.Kearbey@dss.mo.gov Sally Gaines 573-522-6279 Sally.Gaines@dss.mo.gov	PROGRAM MANAGER Amy L. Martin (573)751-3171 Amy.L.Martin@dss.mo.gov
CHILD WELFARE MANUAL REVISIONS	

FORMS AND INSTRUCTIONS

N/A

REFERENCE DOCUMENTS AND RESOURCES[RPPS Tip Sheet](#)**RELATED STATUTE**[H.R. 4980, the Preventing Sex Trafficking and Strengthening Families Act](#)

RSMo 210.660

RSMo 210.665

RSMo 210.670

RSMo 210.675

ADMINISTRATIVE RULE

N/A

COUNCIL ON ACCREDITATION (COA) STANDARDS

N/A

CHILD AND FAMILY SERVICES REVIEW (CFSR)

N/A

PROTECTIVE FACTORS (Link applicable factors and enter N/A if not applicable.)

Parental Resilience

Social Connections

Knowledge of Parenting and Child Development

Concrete Support in Times of Need

Social and Emotional Competence of Children

FACES REQUIREMENTS

N/A