

# CAREGIVER GUIDELINES AND TIPS

for the

## REASONABLE AND PRUDENT PARENT STANDARDS

as required by

Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183 Section 111

This Federal Law requires all state authorities to develop a Reasonable and Prudent Parent Standard for the child's participation in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities; and to apply this standard to any foster family home or child care institution receiving funds under title IV part E.

The “Reasonable and Prudent Parent” standard incorporated in the law allows caregivers to give children in care permission to do daily, age appropriate, activities such as attending community and social events, going on trips with the foster family, joining a school athletic team, getting a part time job or going to an event with friends. Prior to this federal law, children in care in many states, including NH faced barriers to being able to participate in normal childhood activities because of the multi levels of permission that needed to be obtained from birth parents, agencies and at times, the court.

Birth parents are an important and vital part of a child’s life even while they are in care. Whenever possible, birth parents should be included in decision making and be welcomed into discussions around the child’s activities. Unless there are safety restrictions, birth parents should be invited to watch their child participate in a sport or other event. Parents support their children this way and it can be a great way to help develop a healthy activity they can share. DCYF supports the building of a strong working relationship between caregivers and birth parents as it is shown that it can reduce the trauma for a child and lead to more progress and success in the case.

DCYF wants children who are in care to have the most family-like and normal experience possible. Why is normalcy important? An important component of well-being for children and youth in care is to ensure that they are able to have normal experiences and engage in activities that are age appropriate and allow them to grow. Normalcy for children means being able to do what is considered routine, such as participate in sports, teams, clubs, choir, dance classes, volunteer, spend time with friends, have sleep overs, and take trips. It also includes opportunities for youth to take on additional responsibilities and freedoms, such as learning how to drive, working a part-time job, or having a curfew as the youth approaches adulthood. Through these activities, youth learn their interests and talents, safely experiment and take risks, practice decision

making skills, and develop healthy peer and adult relationships. Feeling like they can be as normal as children who do not have to experience placement can help lessen the effects of the trauma these children have suffered.

With the establishment of these standards, the caregivers, rather than caseworkers, DCYF or the Court, can now make decisions regarding daily and normal childhood activities in which children in care may participate thus removing obstacles and red tape

#### **How does NH DCYF define this standard?**

**"Reasonable and Prudent Parent Standard"** means the federal standard in SSA 475(10)(A) characterized by careful and sensible parental decisions made by a caregiver for a child in placement, that maintain the health, safety and best interests of the child while encouraging the emotional and developmental growth of the child through participation in extracurricular, enrichment, cultural and social activities.

He-C 6446, the New Hampshire Foster Care Licensing Rules support caregivers providing normalcy and allowing a child in care to participate in age and developmentally appropriate activities. The Rule requires that you use this standard in making your decisions.

He-C 6350 for residential treatment programs states that residential treatment programs shall provide age and developmentally appropriate opportunities and activities that positively support the education, physical, intellectual, and social needs of children within the residential treatment program and community; in addition to positive youth development techniques that emphasize providing services and opportunities to support youth in developing a sense of competence, usefulness, belonging, and empowerment.

What needs to be included and considered when implementing this type of decision making for a child in your care?

- The child's age, maturity and developmental level to maintain the overall health and safety of the child.
- The potential risk factors and appropriateness of the extracurricular, enrichment and social activity.
- The level of supervision and oversight of children participating in the activity.
- The best interest of the child based on the information known by the caregiver.
- The importance of encouraging the child's emotional and developmental growth.
- The importance of providing the child with the most family-like living experience possible.
- The behavioral history of the child and
- The child's ability to safely participate in the proposed activity, as with any other child.

As a foster parent, you have learned about the Developing Child, The Effects of Childhood Trauma, Grief and Loss, Promoting Positive Behavior and the importance of Lifelong Connections. You will be drawing on that training along with all the information your caseworker has shared with you about the child in your care to make these daily decisions. Training on the Reasonable and Prudent Parent Standards will help you gain more skill in making these decisions and understanding why they are so important to children.

The following chart is a list of typical activities where the caregiver could follow the Reasonable and Prudent Parent Standard or obtain prior approval from the caseworker, court, or birth parent. The factors above must be considered and the standard applied prior to making decisions. Whenever possible, include the birth parent in these decisions or at a minimum make sincere efforts to obtain their input.

Please keep in mind that an activity **cannot** override or interfere with the child's case plan, treatment plans, safety plans, or other court ordered requirements. Activities should not interfere with regularly scheduled visitation times with birth parents or siblings. Children and caregivers must comply with all laws, use protective/safety gear, and have proper training and certificates as required. In some instances, youth involved with Juvenile Justice Services will need specialized permissions for activities and travel.

**When in doubt, check with your child's worker.**

Child or Family Activity/Common situations	Caregiver can permit or approve after applying the standard	Activities, events or situations needing DCYF, birth parent or court approval
<p><b>Family Based Activities and Recreation</b></p> <p>Activities that are done with caregiver family Less than 24 hours in duration</p>	<p>Movies – must follow standard movie rating guidance Community Events Hiking Boating – with safety gear Swimming Canoeing/Kayaking - with safety gear Pedal Biking – with helmet</p>	
<p><b>Arranging in home “babysitting” for foster parents for less than 24 hours</b></p>	<p>Allowed less than 24 hours– babysitter must be at least 14 years of age and a minimum of 3 years older than child to be watched. No need for record check, must have immediate phone access to foster parent</p>	<p>Over 24 hours– allowed but DCYF worker must be made aware of information about babysitter and foster parent plans</p>
<p><b>Family Vacations, Travel and Trips</b></p> <p>Families are encouraged to include children in their care on all family trips</p>	<p>Can include children in care on family vacations and travel by car up to 72 hours and within New England (CT, MA ME, NH, RI, and VT). Worker should be made aware and have emergency contact information</p>	<p>DCYF approval needed for:</p> <ul style="list-style-type: none"> <li>• Travel outside of New England states</li> <li>• Travel for longer than 72 hours</li> <li>• Travel by plane or other commercial transport</li> </ul>

		<p>DCYF/ICJ approval needed for:</p> <ul style="list-style-type: none"> <li>• Out-of State travel for any youth on Conditional Release or Parole</li> </ul> <p>DCYF, Birth parent and possibly court approval needed for travel out of country</p>
<b>Family Religious or Cultural events and activities</b>	<p>Rules require that caregivers honor the religious and linguistic beliefs of the child. The child can attend services with the family if the beliefs and traditions are similar. Youth over age 12 must share in this decision making</p>	<p>Participation in religious or cultural practices not compatible with the birth parent’s chosen religion for their child or expressly prohibited by the parent.</p>
<b>Child's Appearance</b>	<p>Haircuts - caregivers may make arrangements for the child’s hair to be cut for maintenance only and not be a style change for the child under the age of 12. Older children may share in the decision on their hairstyle</p>	<p>Birth parent permission required children in care who are Native American and or belong to a faith community that has a belief system that hair should never be cut this would be the child’s first haircut.</p>
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	<p>Ear Piercing by a salon or professional if desired by children over 12 years old</p>	<p>Birth Parent permission required to have ear piercing done on a child under 12 years old.</p> <p>Body piercings are not allowed unless over 18 years old</p>
	<p>Clothing – individually selected, fitted and appropriate to the season. Children over 12 share in this decision making about their fashion choices</p>	<p>Any clothing promoting violence, criminal activity or substance abuse should not be supported</p>

<p><b>School/Child Care Enrollment and Activities</b></p> <p>Children over 12 years old should share in the decision making for social, extracurricular or athletic activities and experiences within the school environment.</p>	<p>Immediate enrollment of a child in their care into school unless the child will be maintained in their school of origin.</p> <p>Immediate enrollment of a child in their care into a DCYF approved child care environment if required.</p> <p>All educationally related day field trips</p> <p>All school sponsored (supervised) social or community events, i.e.: dances, field day, student government activities, community service projects</p> <p>Overnight, In-state school/agency sponsored educational trips, i.e.; environmental camp for up to 5 days</p> <p>Extracurricular school activities; i.e.: Homework club, before and afterschool programming, intramural sports, drama, music, band, etc.</p> <p>School sponsored sports teams</p>	<p>Birth Parent, Legal Guardian or Educational Surrogate must approve any Individualized Education Plan (IEP), changes in the IEP or 504 accommodations plan.</p> <p>DCYF and Birth Parent permission for: Overnight outside of New England school trips; i.e.: class trip to Washington DC</p> <p>Any overnight in-state trip longer than one school week</p> <p>DCYF and Birth Parent must be notified prior in participation in contact sports, i.e.: football, hockey. Must have medical clearance</p>
<p><b>Community Based Sports and Activities</b></p> <p>Keep in mind that the standard allows you to grant permission for participation and</p>	<p>Participation in organized recreational and/or competitive athletic opportunities in the community, i.e.: gymnastics, swimming, baseball, softball, soccer, lacrosse etc.</p>	<p>DCYF and Birth Parent must be notified prior in participation in contact sports, i.e.: football, hockey. Must have medical clearance</p>

<p>involvement with these activities but there is no current funding to assist in any fee for these activities</p>	<p>Participation in organized social groups. i.e: Boy Scouts, Girl Scouts. Explorers, etc.</p> <p>Participation in organized church groups</p> <p>Participation in other community based enrichment and cultural activities, i.e.: theater, music clubs, concerts, fundraisers</p> <p>Participation in lessons for any of the above activities.</p> <p>Participation in a Hunter Safety Course for a child older than 12 years old</p> <p>Hunting</p>	<p>Birth Parent must have input if the religious beliefs of the group directly contradict the birth parent's chosen religion.</p> <p>All youth hunters under age 16 must be ACCOMPANIED by a licensed adult 18 years or older while hunting. Youth Hunters over 16 must be properly licensed</p>
<p><b>Overnight Activities and Sleep overs</b></p>	<p>Participation in an overnight camp with-in the state for up to one week ( 7 days)</p> <p>Participation in sleepovers with peers and extended family of the caregiver if the foster parent has verified the plans, location and level of adult supervision that will be provided as would happen with any child.</p>	<p>DCYF and Birth Parents should be made aware of plans to have children attend overnight camps. Birth parents will need to sign medical documents. Arrangements must be made to honor or work around any planned visitation.</p> <p>DCYF must approve of any request to have the child visit overnight with any member of the birth family. All court ordered restrictions must be followed.</p>
<p><b>Motorized Activities</b></p>	<p>A child's opportunity to be a passenger on any of the following as long as the operator is licensed and acting in accordance with all state laws:</p>	<p>Whether as a passenger or operator, children under the age of 18 must wear a helmet and eye protection.</p>

	<ul style="list-style-type: none"> <li>• Snowmobiles</li> <li>• All-terrain/off road vehicles</li> <li>• Personal watercraft</li> <li>• Boat</li> </ul> <p>Participation in an approved Safety Education Class through NH Fish and Game</p> <p>Permission to operate for a child over age 12 who has completed the above mentioned course when traveling with an authorized adult.</p>	<p>A child operator cannot carry a passenger on any Off-Highway Recreational Vehicle (OHRV).</p> <p>As these are high risk activities, efforts should be made to discuss these decisions with DCYF and the birth parent</p>
<b>Driving and Driver's License</b>	<p>Allow the child over 15 1/2 to participate in a Driver's Education Class consistent with state law.</p> <p>Provide opportunities for the child over 15 1/2 to have practice driving time with you or another responsible adult over age 25 who holds a valid NH Driver's License</p>	<p>RSA 263:17 prohibits the issuance of a driver's license to a child under the age of 18 without the written permission of the person's father, mother, or guardian.</p>
<b>Employment, Babysitting, and Staying Home Alone</b>	<p>"Babysitting" – based on child's maturity level and ability to handle responsibility.</p> <p>Employment for youth ages 14-18 – must have a work permit and follow the requirements for youth employment in New Hampshire.</p> <p>Allow for the ability of a child over the age of 12 to stay home without adult supervision for short periods of time – based on child's maturity level, development and ability to handle responsibility.</p>	<p>Older children in care are not to be left responsible for younger children in the home on a routine basis. Should participate in a Child Care Information Course</p> <p>This may not contradict case planning, safety planning or court orders prohibiting decreased supervision of the child</p>

<p><b>Photographs/Videos</b></p>	<p>Allowing for a child’s picture to be taken for personal use of the foster family or for the child’s life book</p> <p>Allowing for a child’s picture to be taken for school, athletics or other club involvement when the child is participating as an equal member of their peer group</p>	<p>Photographs may not be posted by the foster parent on social media sites with identifying features or information Child cannot be identified as a child in care</p> <p>Child cannot be identified as a child in care</p>
<p><b>Cell phone</b></p>	<p>Allowing a child over the age of 12 to have a personal cell phone for the purposes of phone calls to friends and family unless otherwise restricted by the case plan, treatment plan, safety plan or court order</p>	
<p><b>Internet Access</b></p>	<p>Allow any age child internet access to age appropriate websites with direct supervision</p> <p>Allow a child over age 12 email and internet access with supervision and parental controls in place</p> <p>Allow a child over age 16 email, internet and social media access with agreed upon supervision, monitoring and parental control</p>	<p>The child's age, developmental needs and safety are taken into consideration when establishing guidelines for use.</p> <p>Permission for internet use must not be contrary to the child’s case plan, treatment plan, safety plan and or any court order. Any internet sites promoting violence, criminal activity or substance abuse should not be supported or allowed</p>
<p><b>Transportation for participation in activities and events allowed using the Reasonable and Prudent Parent Standard</b></p>	<p>Allow the child to be transported for activities and events by other responsible parents and adults known to the care giver and involved with the activity.</p> <p>Allow the child to be transported by the</p>	<p>Any other adult or peer transporting a child in your care must have the appropriate license to operate a motor vehicle through the State Of New Hampshire and follow all normal and routine expectations of driving in this state</p>



	<p>school, team staff or church as a member of the team or a participant of the activity</p> <p>Allow for an older child to be transported in-state by a peer with a valid license, insurance and properly registered vehicle and verification the peer's parent is aware</p>	
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This Guidance list is NOT all inclusive as there are many more activities that a child can partake in in that can add to their sense of accomplishment and well-being. We could go on identifying every detail but this list should help guide you in making decision to **allow or not allow** a child permission using the Reasonable and Prudent Parent Standard.

Always do your best to work with the birth parent and include them in these decisions. Include them in the activity whenever possible.

There may be times when the birth parent or legal guardian disagrees with a decision as to whether a child can participate in a normative activity. Always make efforts to obtain the guidance and input of the birth parent or guardian and it should be considered in the decision making process. You may need to request a meeting with the birth parent and your child's worker to reach an agreement. In cases where parental rights have been terminated or parents whereabouts are unknown, such discussion would not be part of the decision making process. If the parent, caseworker, and child (if age and developmentally appropriate) determine that an alternative decision is appropriate and in the best interest of the child, then the caregiver and child shall move forward with the team's decision.