

# what young people need to thrive

Leveraging the Strengthening Families Act to Promote Normalcy



JIM CASEY YOUTH OPPORTUNITIES INITIATIVE

THE ANNIE E. CASEY FOUNDATION

## ABOUT THE ANNIE E. CASEY FOUNDATION

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**YOUNG PEOPLE** in foster care often understand why they entered the system. They usually can make sense of the complexities that prevented them from remaining in their homes. But what may be hardest for these young people to understand is the lack of everyday experiences and relationships with families and friends readily available to peers who aren't in foster care — opportunities that are frequently difficult to ensure because of requirements imposed by child welfare systems.

These young people need normal and healthy experiences, which include positive relationships and activities — such as getting a driver's license or taking on a summer job. But while such experiences tend to be out of reach because of liability concerns, they are milestone experiences young people need to become successful adults. Through this issue brief, young people who are in, or have been in, foster care offer their insights and aspirations to help guide the actions of child welfare systems as they seek to provide more normal experiences for these youth.

The Jim Casey Youth Opportunities Initiative has spent 14 years working with young people with foster care experience, engaging them to help identify what they need to transition successfully to adulthood. Consistently, young people have emphasized that their foster care experiences were far from normal. What they needed — but too often did not receive — was what their peers not in foster care typically have: parents to love and guide them; close relationships with their siblings, extended family members and other committed adults; a sense of identity and belonging; and daily experiences such as extracurricular activities, sleepovers and time just hanging out with friends.

These typical experiences, collectively referred to as “normalcy,” are what help define a normal childhood. Normalcy encompasses the collection of age- and developmentally appropriate activities, experiences and opportunities that should make up the daily lives of young people within the context of a caring and supportive family.<sup>1</sup> The challenge is that normalcy is elusive for children and youth in foster care.

To help address this persistent issue, Congress last year passed and President Obama signed into law the *Preventing Sex Trafficking and Strengthening Families Act* (the Strengthening Families Act).<sup>2</sup> Critical provisions of the Strengthening Families Act that promote normalcy include:

- the requirement for states to implement a “reasonable and prudent parent” standard that allows caregivers to make more daily decisions for young people in their care;
- a mandate that child welfare systems engage all young people in their case planning beginning at age 14; and
- the elimination of the use of the court-ordered Another Planned Permanent Living Arrangement (APPLA) as a permanency goal for children under 16, as well as the addition of case planning and oversight requirements when the goal is used.<sup>3</sup>

The federal law’s combined focus on family, youth engagement and normal growing-up experiences can set the stage for improved well-being for young people in foster care. As public systems implement the Strengthening Families Act, they must weigh the voices and experiences of young people themselves. Toward that end, this brief highlights:

- the importance of normalcy to the overall healthy development of young people in foster care;
- how young people view normalcy and foster care — what they wish for, the barriers they face and their recommendations;
- suggestions for how to leverage the Strengthening Families Act for significant improvements in child welfare systems, creating a more supportive and normal environment for all young people; and
- strategies from the field that can serve as examples.

Before the passage of the Strengthening Families Act, child welfare policies and practices had begun to shift toward more fully integrating safety, permanence and well-being, with greater emphasis on the social, emotional and developmental welfare of young people in foster care.<sup>4</sup>

The well-being needs of children and youth in foster care, including opportunities for normal child and adolescent development, can too easily take a backseat to the child protection focus of the child welfare system. This shift has been spurred by growing information concerning the effects of trauma on child and adolescent development, and recognition that foster care can cause additional harm if services are not holistic, of high quality and delivered in a timely manner. The new law deepens the emphasis on well-being by making clear that the well-being of young people in foster care must be grounded in a normalcy standard — that is, young people in and preparing to transition from foster care need and deserve the same family support, opportunities, experiences



and high expectations as all other young people in their communities.<sup>5</sup>

*“To be normal means to have access to things that adolescents who aren’t in the system do such as sleepovers, dates and even a chance to earn an allowance.”*  
— Vincent<sup>6</sup>

## Normalcy and Well-Being

It is widely accepted that normalcy is a critical component in healthy social, emotional and cognitive development.<sup>7</sup> Just as children need parental figures, teenagers and young adults continue to benefit from the love and support of stable parents and caregivers at all stages of life to support them as they develop mentally, physically and socially.<sup>8</sup> As they become increasingly independent and even at times rebellious, adolescents view parents as reliable authorities on how to maintain relationships, develop skills of self-reliance and learn to follow rules and evaluate and avoid risks,<sup>9</sup> such as unprotected sex and underage drinking.

*“I felt normal the day I was in my foster home and my foster parent came to me and said that I am now a part of their family and I could call her mom and I am now her son. Everything else didn’t matter. She treated me as if I was her own son by taking me out to eat and buying me nice things and spending quality time with me and even introducing me to people as her son. It felt so good to feel wanted.”*  
— Justin<sup>10</sup>

Although the nature of adolescents’ relationships with their families changes over time, the continuity of family connections and a secure emotional base continue to be crucial for their positive development.<sup>11</sup>

At the same time, participation in extracurricular and social activities can effectively change the life course for many young people and prepare them for a successful transition to adulthood.<sup>12</sup> Providing young people with opportunities to fully participate in school and community activities enables them to develop and broaden supportive networks that can continue into adulthood.

The Jim Casey Youth Opportunities Initiative works to ensure that young people — primarily those between ages 14 and 26 — successfully transition from foster care to adulthood. The initiative’s work creates opportunities for young people to achieve positive outcomes in permanence, education, employment, financial capability, housing, physical and mental health and social capital.

Young people must take on distinct developmental tasks in order to move through adolescence and emerging adulthood and become healthy, connected and productive adults. Neuroscience makes clear that chemical changes in the brain during adolescence present rich opportunities for them to learn from experience and mistakes and, with family and adult support, gain greater self-regulation, coping and resiliency skills and move successfully toward adulthood.<sup>13</sup>

For older youth in particular, normalcy means opportunities to practice adult skills such as managing their own finances, driving and maintaining a network of work, school and social relationships. Young people need consistent practice to truly master these skills,<sup>14</sup> practice that requires the support of caring adults and ongoing learning opportunities that enable young people to make decisions and take risks in safe environments.<sup>15</sup> Practicing adult skills creates positive stress, which is the kind of stress through which young people learn how to manage and regulate their emotions as well as develop social, behavioral and cognitive coping resources. As they learn to overcome challenges, young people begin to develop the skills they need to navigate the ups and downs of life.<sup>16</sup>

## How Do Young People in Foster Care Define Normalcy?

*“To be normal is to be a typical youth. To be normal is to have limited barriers like the non-foster care youth you sit next to in class. The ones who only have to go through one set of parents and not everything in their lives are analyzed. Being normal is to have privacy, love and safety provided in the most natural way possible.” — Ashley<sup>17</sup>*

*“My whole life, I just wanted to be normal. Personally, I’ve never been to a homecoming dance or a prom dance.” — Brianna<sup>18</sup>*

Young people who have experienced foster care know which family relationships, activities, experiences and opportunities they need to have a normal upbringing. Much of this knowledge is formed from

comparisons between themselves and their peers who are not in foster care. Despite being alike in many ways, they grow up in drastically different environments.

For young people in foster care, normalcy derives meaning through critical relationships and experiences during the transition into adulthood.

Normalcy means being part of a caring and supportive family. Like everyone, young people in foster care want to belong to a family and experience the stability, roots and grounding that come with being a full family member. Parental, sibling and extended family relationships are among the most influential factors in a young person’s life and play key roles in helping young people forge their own identities and master critical adult skills.<sup>19</sup>

While in foster care, many young people long to maintain ties with their birth families *and* want to experience family life. For some young people, this may mean reconnecting with their birth families and having regular visitation in as normal a setting as possible, even when supervised. For others, it may mean longing to be part of a new family that can provide stability they never had before. Many young people stress the importance of maintaining sibling relationships and being able to engage in normal family activities with siblings even when not placed together.

*“Normal to me is feeling like a part of my new family. I never want to be treated differently than other people in my home. At the same time, I want to express myself my way.” — Sam<sup>20</sup>*

Young people in foster care, like other adolescents, also see normalcy as developing and cultivating friendships around which much of adolescent life revolves. Friendships are critical to them as important sources of emotional support, guidance and help in times of need. Peer relationships are one of the most important and normal relationships an adolescent has,<sup>21</sup> and they teach young people about communication, cooperation, negotiation and reciprocity. At the same time, young people in foster care want the normalcy of relationships with supportive adults, such as teachers, coaches and mentors.

For many young people in care, normalcy is participating in the *extracurricular and everyday activities* that their peers enjoy. These activities provide rich opportunities for young people to learn teamwork; build confidence; explore new interests; deepen relationships with peers, family and other adults; and meet new people. For some young people, sports are their passion; for others, it is student government, theater, art or science. Everyday normal activities that most young people take for granted are equally important, such as hanging out with friends, using a telephone or computer, shopping for their own clothes at stores they choose, going on school field trips, getting a driver's license, attending the prom and taking a vacation.

For young people in foster care, normalcy means *being seen as a person rather than a 'foster youth.'* The label "foster youth" can envelop the young person in negativity and devalue him or her as an individual.<sup>22</sup> Normalcy for young people in foster care is being "free to be yourself and to have a sense of security," "not being singled out

as a foster youth" and "establishing relationships/friendships without having to explain your identity as a foster youth."

*"Normalcy means not being singled out and labeled as a 'foster youth' or having the label of 'troubled teen' attached to you."  
— Crystal<sup>23</sup>*

Finally, being a normal adolescent also means *making decisions, trying out new things and sometimes making mistakes like other young people not in foster care.* In contrast to their own experiences, young people in foster care see their friends make decisions about their lives, such as where to hang out after school, how to spend their allowances or whether they will try out for the school play. A key to healthy adolescent development is experimentation with friends and testing boundaries to develop greater autonomy and earn more independence. All young people engage in a range of risk-taking behaviors, practices that the brain has been primed to do, since trying out adults' roles and responsibilities involves risk.<sup>24</sup> Normalcy also means having caring adults who can be there to prop young people up when their mistakes have negative consequences and helping them negotiate healthier choices.

## Barriers to Normalcy

*Restrictive child welfare policies and practices principally developed with young children in mind* limit adolescents' ability to develop a secure identity, build and maintain relationships or participate in everyday activities. Based on an informal survey of states, many rules and decisions stand in the way of young people

- .....
- Young People in Foster Care Define Normalcy**
- Being part of a caring and supportive family
  - Developing and cultivating friendships
  - Engaging in extracurricular and everyday activities
  - Being a person, not a label
  - Making decisions, trying new things and sometimes making mistakes
- .....



Barriers to Normalcy Identified by Young People

- Restrictive child welfare policies and practices developed primarily for younger children in foster care
- Structure and operations of group placement
- Placement moves
- Inability to maintain relationships
- A “culture of no”
- Lack of decision-making opportunities
- Heightened scrutiny
- Lack of funds and transportation
- The stigma of foster care

experiencing normalcy, such as a refusal to allow young people to:

- go on a sleepover without a background check of friends’ families;
- participate in sports due to perceived liability issues or rigidity in scheduling for services and family visits;
- participate in the school band;
- be in a carpool;
- go out with a friend, especially in a car driven by the friend;
- go out on a date with an older youth in foster care;
- go on school trips, especially out of county or state;
- make a hairstyle change without written parental permission or court approval;
- ride to the prom unless the date or friend shows proof of insurance for his vehicle to the caseworker;
- operate power tools even with supervision because of the potential for injury;
- ride on any motorized bike, go-cart or four-wheeler;
- ride a lawn mower or help the foster family with yard work;
- go on vacation with the foster family because they will fish in a boat or go to an amusement park;
- get an after-school job or summer job;
- participate in community activities or 4-H;
- go into one’s room by himself/herself;
- be on Facebook or use the computer without direct supervision; and

- communicate by phone or email with anyone not on the “list of approved people” developed by the caseworker.<sup>25</sup>

Because of these restrictions, young people often miss out on typical teenage experiences such as sleepovers and sports. They may experience a deep sense of loss as opportunities to explore their interests and gain a greater sense of identity pass them by. Some young people say that they would have been more fully motivated to keep up their grades if they had been able to participate in school events that required a certain grade point average.

*“[The main thing that I wanted to do but couldn’t because I was in foster care was] basketball! There was nowhere for me to stay for games out of town. I did not want to ask my coaches and teammates’ parents if they would have a background check done. It wasn’t normal. It was humiliating and I lost out on so many supports and meaningful experiences I could have had during my teenage years.” — Eddy<sup>26</sup>*

For some young people, restrictive policies and practices affect their ability to attend important events in their biological families, such as the funeral of a sibling. For many, family vacations and travel are nonexistent. Some young people describe being sent to respite care while their foster families were on vacation with their biological children and wondering whether the family did not want to include them, it was too expensive for the family to include them or the approval process was simply too onerous.<sup>27</sup>

*“It is just as hard if not harder to be able to take an invitation to go on vacation paid by a friend or family member than it is just to get approval to spend the night with someone.” — Maegan<sup>28</sup>*



The *structure and operations of many group placement settings* lack normalcy for young people who live in these settings. The natural and human element of relationships among people who live together is taken away by group placement policies that require young people to share their personal information with adults they are not allowed to be personally close to or that prohibit physical contact such as giving or receiving a hug when someone is crying. A caseworker or shift worker at a group placement typically cannot provide the same kind of individual attention as a family can — nor are they typically as well positioned to intimately learn and communicate a young person’s strengths and high expectations for success in adult life. One alumnus of foster care who experienced group placement stated:

*“Everything and anything was restricted. Use the bathroom on my own, wash my clothes, use the phone, watch TV, have a cell phone, go out with friends, go to the mall, go to school, activities, eat.” — Alumnus of Foster Care <sup>29</sup>*

While some youth require short-term stays in highly structured group placements to address significant emotional and behavioral challenges, many young people in these settings do not need intensive supervision. More than four out of 10 children in group placements have no mental health diagnosis, medical disability or behavioral problem that might warrant such a restrictive setting.<sup>30</sup> Many young people are placed in group settings simply because family homes are not available. Yet, most of these facilities

## A NORMALCY ACTIVITY CHECKLIST FOR YOUNG PEOPLE IN FOSTER CARE<sup>31</sup>

### Social Activities

- Sports
- Sleepovers
- Access to a telephone
- Dates/outings with friends
- Movies
- Real-world activities such as museums
- Attending church with friends
- Traveling with other youth and adults
- Vacations and other travel opportunities

### School and Community Activities

- After-school activities/school clubs
- Field trips
- Camp
- School pictures

- Yearbook
- Prom and homecoming
- Scouts and other service organizations
- Cultural events
- Community activities/volunteering

### Path to Adulthood Activities

- Reasonable curfews
- Learning to drive/obtaining learner’s permit or driver’s license
- Getting a job
- Getting and managing an allowance
- Chores
- Learning to cook
- Establishing and maintaining good physical and mental health

### Learning Opportunities

- Financial literacy
- Education on drug and alcohol issues
- Education about healthy relationships and sexuality
- Knowledge about available resources
- Knowledge about the legal system and rights and responsibilities
- Leadership development

impose a level system that determines the extent to which young people there may enjoy normal activities and benefits. A young person at zero level (sometimes referred to as “lockdown”) has little or no opportunity to participate in activities outside of the group placement; a young person may earn privileges that include visits with siblings, visits with friends or use of a computer, but those privileges can quickly be taken away.

*“Life in group care is filled with supervision, common rules for everyone there, a level/behavior system, specific meal times, state food and a daily schedule — none of which is a home. These are activities and rules that are implemented in prisons, only in different way.” — Maegan<sup>32</sup>*

Unlike family environments in which parents or caregivers either give approval or not, group placements typically use protracted processes for considering young people’s requests to participate in normal teen activities or decide for young people which activities they should participate in. One young person who lived in group care reported that she had to submit a written request at least a week before any activity, including outside visits with her mentor. The request had to go to the facility’s main office, which had to provide written approval. Often she did not receive a response in time for her to participate, or it was received at the last minute and the response was “no.”

Early curfews are customary in group placement settings, but these curfews can make it extremely difficult for young people to participate in after-school programs, team sports or have an evening job.<sup>33</sup> In one study, older adolescents in group placements reported that fixed

curfew policies unnecessarily conflicted with their daily lives. Some had children of their own or were engaged to be married and found curfews inappropriate and demeaning — especially when staff members were of a similar age. Other young people, seeking evening job training or educational opportunities, encountered conflicts with the rigid application of curfew rules.<sup>34</sup> Particularly for older young people in group placement, overly strict curfews and scheduling inflexibility fail to accommodate normal teenage activities and work against young people’s self-motivated efforts to prepare themselves for adulthood.<sup>35</sup>

*Frequent placement moves* are another factor that creates lack of normalcy. Many placement changes also involve a school change that can lead to lost credits, difficulty navigating a new school system and the people in it and disrupted relationships with friends, teachers and other caring adults. With each new placement, the young person is presented with new rules and expectations and often a need to quickly adapt to a family’s culture, values and family and religious traditions. From one home to another, the young person may encounter different rules on the use of the telephone and Internet, time with friends, participation in extracurricular activities and part-time work. They may lose vital relationships and meaningful activities as their requests are met by “no,” or it is explained that the activity does not fit with the family’s schedules and routines. For some young people, these experiences accentuate the loss of a normal family:

*“Despite this reality in front of your faces, we still define the ‘normal’ family as having your parents. Even one of them at least. It’s*



*the people who look like you. Who carry your embarrassing childhood stories. Who make you participate in silly family traditions that you secretly think are kind of cool and unique to your family.” — Eddy<sup>36</sup>*

Young people also describe barriers to normalcy posed by their *inability to maintain relationships* with family members, foster families and peers. Many young people lack stable family because they have been separated from siblings and other caring family members and moved multiple times while in foster care. Their desire for normalcy often centers on safely connecting with their biological families, particularly their siblings, and having the sense of identity that comes from long-standing family and community connections. They also often experience a sense of loss when relationships with peers are short lived or inconsistent. Young people may find it tremendously difficult to develop relationships both while in foster care and when out of foster care. Living in an environment of constant uncertainty and change, many young people pull inward and resist attaching to others. For

some young people, developing and maintaining meaningful relationships happens only after they leave foster care when they are able to make friends with people who are not “assigned” to them. However, some young people continually wonder when new relationships with friends and social networks will expire, ending just as their relationships in foster care ended.

Young people in foster care frequently experience and internalize the normalcy barrier created by a “culture of no.”<sup>37</sup> They recall multiple examples of activities or experiences that their peers took for granted and that they wanted for themselves but were repeatedly denied. For many, the “culture of no” began with their foster parents. Many young people report that their foster parents were reluctant to allow them to participate in normal activities that the foster parents themselves supported out of fear they may violate licensing standards or agency policy. Foster parent training can instill a strong sense of fear that as foster parents, they will be investigated or have their licenses revoked if they allow young



people too much latitude. This practice has the potential unintended consequence of limiting the number of foster parents who are recruited as a result.

*“It begins with the first interactions in your foster home. When you ask to do something, the reply is, ‘I don’t know if you can do that.’ Foster parents are anxious not to be put in a position in which the young person in their care could be hurt or could get into trouble.” — Sixto<sup>38</sup>*

After caregivers and caseworkers repeatedly denied their requests, many young people report that they stopped asking and began to assume that the answer would always be “no.” For them, a “no” response became automatic as opposed to the adults in their lives figuring out a “yes.”<sup>39</sup>

The absence of normalcy in the lives of young people in foster care is apparent in the restrictions that *keep them from making decisions for themselves* — in small and large matters. One young person describes experiencing ongoing frustration when she could not get her hair cut without multiple adult permissions. Another young person who aged out of foster care reported that she knew she had no control over her life when her court-ordered permanency goal was changed from being reunified with her birth family without anyone consulting her. Like their peers who are not in foster care, young people in foster care need to be able to fully use the important window of developmental opportunity afforded during adolescence to shape decision-making skills and other capacities that they will need as adults.<sup>40</sup> Without adequate opportunities to make decisions and learn from experience, young people in foster

care will be disadvantaged in developing responsibility, goal-setting skills, higher-order thinking and problem solving.<sup>41</sup> Many young people also report running away from foster care as a method for getting more control over their lives — a method that often lands them in unsafe situations ranging from a lack of food and shelter to becoming victimized by those who prey on vulnerable young people, such as sex traffickers.

Young people also report that a barrier to normalcy is living with *heightened scrutiny*. Evidence of such scrutiny is present in many schools where young people in foster care are subject to disciplinary actions at a greater rate than their peers not in foster care. While in foster care, they worry that their caseworkers or the judge will learn that they engaged in what most would consider normal teen activities, and that there will be highly negative consequences that are out of proportion to what their peers’ experience. Transgressions committed by their peers not in foster care may be punished merely with extra chores or being grounded. For young people in foster care, judges may question them about their activities at the next court hearing, caseworkers may document their activities in their case files and foster parents may impose harsher punishments than required, all leading to negative judgments that follow them throughout their stay in foster care. Young people said that these fears hold them back from engaging in the very activities and experiences that are essential to a normal adolescence.

*“One of my foster moms had adult children with kids. After multiple months of living with this foster mom, one of her kids called me and asked me to babysit her two*



*girls and said she'd pay me. I could hardly believe it. That's the moment where I really felt connected to the family, because of the obvious trust and that I was thought of first before anyone else." — Kayla<sup>42</sup>*

Adding to the normalcy barriers is simply the lack of needed funds and/or transportation so that young people in foster care can participate in the activities for which they receive permission. A few young people reported that it was only through the efforts of a dedicated staff member or mentor that they were able to participate in activities that required even a small level of funding or transportation arrangements.

Finally, young people talk about the stigma of living in the foster care system as a significant barrier to normalcy.<sup>43</sup> They realize that they already stand out given their living situations:

*"I believe normalcy is allowing foster care youth to have the same opportunities as those children living with biological parents. Too often there is a stigma attached*

*to the term 'foster care' and the children that come from it. The world seems to believe that foster care is where the difficult or criminal children go, but that is far from the truth. Normalcy is trying to let these foster care youth live as close to a regular and normal life as they can with the situation they are in." — Alumnus of Foster Care<sup>44</sup>*

Many young people in care fear being teased or stereotyped and strive to keep their living situations a secret.<sup>45</sup> The inability to participate in extracurricular activities and cultural, educational and social opportunities typically provided to young people not in foster care creates yet another unnecessary stigma for them.<sup>46</sup> Young people who are left out of popular teen activities may find themselves in the very difficult position of having to explain why they cannot participate. As one young person stated, "when you start explaining, you automatically are labeling yourself as 'different' because friends do not understand why you do not live with your parents."



## Young People's Recommendations for Improving Foster Care

Young people are clear about what would have improved their time in foster care, provided them with more normal growing-up experiences and better prepared them to be successful adults.

### I. ENSURE THAT YOUNG PEOPLE HAVE FAMILY AND OTHER CARING RELATIONSHIPS.

Young people powerfully state that family and other caring relationships are at the heart of normalcy.

*"[What is needed is to] create a familial setting whenever possible. Young people are desensitized to normal family experiences and moments when the system steps in. My transition to adulthood was most difficult because I just wanted to spend time with people and yet all I was offered was office meetings and business-related encounters."*  
— Eddy<sup>47</sup>

These young people strongly recommend that priority be placed on their remaining safely connected to family, friends, community and school to maximize the normalcy in their lives and meet their development needs during adolescence and young adulthood.<sup>48</sup> It is through relationships with family members and peers that young people develop a sense of self-esteem and self-concept, a sense of worthiness to society in general, a respect for self and others, a sense of social competency, the ability to cope in social situations and the ability to define goals and direction.<sup>49</sup> Young people with foster care experience particularly emphasize the critical importance of remaining connected with their siblings. They stress the need to keep siblings together and provide

for unrestricted sibling interactions when they must be separated.

*"[When they] moved us and placed us all in different homes, I felt as if God was punishing me for something. It broke my heart."* — Arlene<sup>50</sup>

### 2. REDUCE RELIANCE ON GROUP PLACEMENT.

Young people urge child welfare systems to reduce reliance on group placement because such environments do not support young people in growing, developing and gaining the skills needed for successful adulthood. Group placement generally does not provide the steady parental figures that are critical to healthy adolescent development. Institutional restrictions often are deliberately designed to prevent staff from becoming too attached to young people.<sup>51</sup> As a result, young people often have few opportunities to develop healthy adult relationships and the skills they will need to build and sustain relationships during adolescence and into the future. At the same time, young people in group placement typically are given very little latitude in making decisions for themselves. Should they make mistakes that adolescents typically make, the consequence is frequently outsized, resulting in even more restrictions and less normalcy. Young people have also expressed frustration when their placement in a group setting is not due to the need to address an acute behavioral or emotional challenge they are facing but is simply because of a lack of family-based placement availability.

Studies have found that residential treatment programs have the best chance of success if they focus on family involvement, discharge planning and



reintegration into the community.<sup>52</sup> A strengths-based culture<sup>53</sup> can help youth have as normal an experience as possible. Most importantly, children should stay only as long as their treatment requires.<sup>54</sup>

### 3. CAREFULLY SELECT AND TRAIN FOSTER PARENTS AND CASEWORKERS.

Young people recommend that both caseworkers and caregivers be trained in strength identification, human development and cultural competence. Young people emphasize how dependent they are on their caregivers and caseworkers to ensure that they have normal lives. As one young person stated: “Young people deserve the last bits and pieces of what makes their lives normal, and the people who are charged with protecting and serving young people should be the ones who are advocating for these last bits and pieces.” Young people focus on the critical importance of carefully selecting and training caregivers and caseworkers to work effectively and specifically with young people in foster care and to fully embrace their roles in promoting the well-being of young people. Young people strongly recommend that foster parents and other caregivers be provided with the information, training and support they need to parent adolescents and encourage young people in their care to follow their interests and passions. Caregivers need access to financial resources that make it possible for young people to participate in activities and events. They need support to provide transportation themselves and the authority to make transportation arrangements with other responsible adults.<sup>55</sup>

### 4. PROVIDE YOUNG PEOPLE WITH OPPORTUNITIES TO MAKE DECISIONS AND LEARN FROM EXPERIENCE.

To develop as healthy adolescents and young adults, young people emphasize they must be allowed to make decisions for themselves, learn from experience and become stronger decision makers and problem solvers. Young people in foster care need more than cognitive skill attainment; to become effective decision makers, they need to be given the opportunity to practice making personally meaningful choices with the support of caring adults. There are numerous examples of decision-making models that encourage youth engagement and promote the opportunities young people need to fully develop the skills they will use throughout adulthood. The best team decision-making models allow for the conversation to be led by the young person with the support of adults invited by the young person.

## The Strengthening Families Act: An Opportunity for Normalcy

The *Preventing Sex Trafficking and Strengthening Families Act* of 2014 (Strengthening Families Act) provides a strong framework for child welfare systems to shift current policy and practice to prioritize normalcy. It directs child welfare practice and policy on three critical normalcy components:

- Ensuring more age-appropriate or normal growing-up experiences for young people in foster care, including the implementation of the “reasonable and prudent parent” standard that allows caregivers to make more daily decisions for young people in their care



- Eliminating APPLA as a permanency goal for children under age 16 and adding requirements if older youth have a permanency goal of APPLA
- Engaging all young people in their case planning beginning at age 14

By fully implementing these provisions of the Act in an integrated practice model that is trauma informed and developmentally appropriate, child welfare systems have the opportunity to address barriers to normalcy and improve the well-being of young people in foster care.

## The Reasonable and Prudent Parent Standard

The act makes clear that all caregivers — whether kinship or non-kin foster parents or group placement providers — are to have more decision-making authority in the everyday choices that affect the young people in their care.

Upholding the reasonable and prudent parent standard could, at a minimum, translate into expanded lists of what young people can and cannot do at

different ages. The standard provides an opportunity to transform the role of caregivers of young people in care from “sitter” or “keeper” to that of advocate and supporter. This role may sound more appealing to families who otherwise decline to become foster parents because they would be unable to offer a normal home environment. Caregivers acting as reasonable and prudent parents can support young people in taking on gradually increasing levels of responsibility and leadership in their own lives, a process vital to the development of skills and capacities needed for a successful transition to adulthood.<sup>56</sup>

*Foster Parents.* The reasonable and prudent parent standard is intended to give foster parents more responsibility for parenting the young people in their care. Young people want their foster families to be able to make decisions for and with them. In 2014, foster care alumna Sandra Navarro, 19, testified before the Utah House Health and Human Services Committee as it considered a bill to empower foster parents to decide whether youth in their care could participate in typical adolescent events, such as extracurricular

activities and school dances, learning to drive or going to a sleepover at a friend's house. Sandra entered foster care at age 15 and her foster parents eventually adopted her. She testified that empowering her foster mother to allow her to participate in activities and spend time with friends helped her develop life skills and taught her to be accountable for her time. "I felt like it built her trust in me because I respected curfew."<sup>57</sup> The standard should also help child welfare agencies rethink how they recruit foster families and how they communicate their expectations for parenting a young person in foster care.

Young people who had the benefit of living with caring and empowered foster parents underscore how important it is for caregivers to be able to make daily decisions that affect young people's lives.

*"Normal is having a healthy routine with people that support you. Normal is knowing no matter what you do, there is a wall of support waiting to catch you before you fall." — Adrianna<sup>58</sup>*

*"Foster parents were not supposed to, but my foster parents took me out on their boat. I would go with them to their farm along with their biological children. They broke the rules when I was with them. They showed me they really cared. The family outings were a breath of fresh air in a difficult time. They had a lasting impact and helped me as I grew." — Georgina<sup>59</sup>*

**Group placement.** The act makes clear that normalcy means creating a family-based setting so that young people grow up in a normal environment in which parents exercise judgment in making decisions for their children. The reasonable and prudent parent standard applies equally

to group placement providers as to foster and kinship parents. Many young people, however, do not experience shift-based staff members as fulfilling a meaningful parental role in promoting their physical, mental and emotional well-being and development.

*"Living in a group home is like conforming to life in an institution. There is no real parent there, but instead 10 parents, two at a time on the clock to just work there." — Maegan<sup>60</sup>*

To truly normalize foster care, the reasonable and prudent parent standard must push the boundaries for how the field thinks about and uses group placement. Simply expanding the list of approved activities and designating a person on site to make decisions about what young people can and cannot do will not lead to encouraging the emotional and developmental growth of each young person as the law requires. Policies and practices must develop and build on successful efforts to expand and support family foster care options for young people to achieve the reasonable and prudent parenting that young people need.

## Young People Engaged in Case Planning

Under the Strengthening Families Act, young people in foster care who are ages 14 and older must help develop their own case plan (and any revision to the plan) and are able to select up to two individuals who are not a foster parent or caseworker to be a part of their case planning team. Their case plans must include a List of Rights document that describes their rights with respect to education, health, visits with family and others, court

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### Statutory Definition: Reasonable and Prudent Parent Standard

**"The term '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 the State to participate in extracurricular, enrichment, cultural and social activities."**

— Preventing Sex Trafficking and Strengthening Families Act of 2014, section III

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participation, staying safe and avoiding exploitation.

This federal provision, if fully applied, could significantly normalize young people's experiences in foster care and prevent or decrease the likelihood that young people will run away and become vulnerable youth on the streets. When young people are actively engaged as partners in their own case planning, they have access to information about the decisions that need to be made and the circumstances that affect decision making, in contrast to what one young person describes currently as "being on a need-to-know basis." In an authentic youth-adult partnership, both partners have equal opportunities to use skills, make decisions and independently carry out tasks to reach shared goals. Because of their mutuality, these partnerships build on the strengths of each group, and the program or activity is stronger than one devised and delivered individually by either group.<sup>61</sup>

Through actively engaging with young people, important adults in their lives can better understand the youth's unique strengths, hopes, needs and challenges. They can support young people in identifying and pursuing their own passions and interests and reaching their goals. Priority can be placed on developing and supporting family relationships and connections with individuals and representatives of communities (e.g., faith community) that the young person identifies. Young people's active engagement in case planning and decision making helps them build and maintain social capital across all critical domains — family, school, peers and community.<sup>62</sup>

Young people can have opportunities to begin to make decisions for themselves,

learn from experience and develop strong problem-solving skills.

Effective implementation of the case planning provision will require a culture shift within many child welfare systems. Just as the reasonable and prudent parent standard dramatically shifts the role of foster parents and other caregivers, the new case planning requirements dramatically shift the role of caseworkers. Caseworkers will need to be working *with* young people to achieve their goals rather than making decisions and doing things *for* young people. Caseworkers will need to enter into relationships of respect for young people and their decisions with equal attention and appreciation given to the input of the other team members selected by the young person. They will need to be there for young people when decisions do not turn out well to help them learn from their mistakes and make better decisions in the future. Caseworkers will need to be trained, supported and empowered to fully partner with the young people they support.

## Restrictions on APPLA

Another Planned Permanent Living Arrangement (APPLA) as a court-ordered permanency goal was originally intended as a last resort — when all other permanent family goals or options had been explored. Unfortunately for many youths in foster care, APPLA has become the default.

The Strengthening Families Act eliminates the use of APPLA as a permanency goal for youth under age 16. It also mandates greater accountability around the use of APPLA for those 16 years and older, including requiring the young person's opinion on his or her desired permanency

goal at each judicial review. During the review, the child welfare agency is required to specify the steps it is taking to carry out the reasonable and prudent parent standard and to engage the young person in developmentally appropriate activities.

Despite the name, APPLA goals typically do not result in a planned permanent arrangement, but instead, in young people's exits from foster care without the normalcy of family connections, support and guidance.<sup>63</sup>

Many young people who exited foster care with APPLA goals, describe the many challenges they encountered when suddenly on their own without the caring support of family and the normal growing-up experiences that would have better prepared them for life after foster care. Many recount how emotionally difficult it was to find their way without either biological or foster families to support and guide them. They describe feeling "alone and completely independent" after transitioning from foster care, with no permanent connections and no friends. Young people suddenly are confronted with the expectation that they will move successfully from the foster care environment — where they were not allowed to take risks and everything was predetermined for them — to a fully independent adulthood with complete responsibility for making all decisions for themselves.

The elimination of APPLA for younger youth and the requirement that older youth consent if their permanence goal is APPLA can help ensure that no one in the young person's life settles for a goal that envisions a young person transitioning from care on his or her own. Just as implementation of other legal provisions

under the act will result in culture shifts in the roles of foster parents and case-workers, the new APPLA requirements will shift the roles of judges, lawyers, guardians ad litem and others involved in case oversight. Legal and judicial players will need to fully engage young people in discussions about their permanency goals and ensure that young people's voices are not only heard but actively contribute to the decisions that are made.

Yet a change in permanency goals alone will not increase the number of young people leaving care with family to support them. The APPLA changes will also require a fundamental shift in how everyone in young people's lives helps them to identify the relationships that are important to them, supports them as they navigate these relationships and helps them make the connections that will ensure they transition from care with support and guidance from nurturing adults, and preferably a family. This process will help to ensure that no one ever settles for a goal of independence, but rather the interdependence on a community of people who will be there for the young person long after he or she leaves foster care.

## Early Examples from the Field

Consistent with the recommendations of young people and the new federal requirements, some states have developed policies and practices that embrace normalcy for young people in foster care. The experiences of these states can be instructive to all states working to implement the Strengthening Families Act. Below are some examples of what states have already done to create a stronger culture of normalcy in their foster care systems.

### State Examples

- California prohibits the state from enacting any law or regulations that create more barriers to normalcy.
- California, Florida and Utah explicitly state that children are entitled to participate in age-appropriate activities.
- Arkansas regulation notes that "children in foster homes should be encouraged to participate in normal age-appropriate activities such as overnight visits with friends, extra-curricular activities, church activities and short-term summer camps." Foster parents are advised to use care in determining the individual child's maturity when making these decisions.
- Colorado requires foster parents and group home administrators to "make a reasonable effort" to allow youths to participate in "extracurricular, cultural, educational, work-related and personal enrichment activities."<sup>64</sup>

### *Foster Bill of Rights*

**Pennsylvania** statutes define the rights of young people in foster care to include the opportunity to participate in extracurricular, cultural and personal enrichment activities; to work and develop job skills; and to receive appropriate life skills training.<sup>65</sup> **Florida's** Foster Youth Bill of Rights states that a child or youth living in foster care deserves the same opportunities as any other child, including the right “to enjoy the milestones of maturity.”<sup>66</sup>

**California's** Foster Youth Bill of Rights states that young people have the right “to participate in age-appropriate extracurricular, enrichment, and social activities... without requiring criminal background checks of chaperones, friends and friends’ parents/supervisors.”<sup>67</sup>

Many states have also created enforcement mechanisms for the rights provided to young people to ensure a grievance process is in place in the event a young person’s rights are violated.

### *Normalcy Legislation and Guidelines*

Following the 2013 enactment of **Florida's** *Quality Parenting for Children in Foster Care Act*, which provided the model for the federal act, the state developed *Normalcy Guidelines* that specifically outline the range of activities, opportunities and experiences that young people should have while in foster care (see Appendix A). Florida’s *Normalcy Training* is part of its pre-service training curricula for foster parents and is provided to all child welfare staff on an ongoing basis as in-service training.<sup>68</sup> One of the state’s community-based providers, Kids Central, developed a *Caregiver Guide to Normalcy* that provides foster and kinship parents with guidance in making normalcy decisions and a set of frequently

asked questions with answers in line with the theme, “Don’t say ‘no’ until you know.”<sup>69</sup>

In 2013, **Texas** developed a guide for caseworkers and caregivers that describes *Normalcy Activities for Children* in foster care, including guidelines on sleepovers, part-time employment, extracurricular activities and driving a car (see Appendix B). **Washington State's** *Caregiver Guidelines for Foster Childhood Activities to Assist in Caregiver Decision Making* delineates “green” activities — normal childhood activities that caregivers can approve independently — and a limited number of “red” activities that require department or court approval (see Appendix C).

Some states have passed legislation to carry out the “reasonable and prudent parent” standard. **Utah** enacted *Foster Children Amendments* in 2014 to require the use of the “reasonable and prudent parent” standard and to clarify that a caregiver is not liable for harm to a child if the child participates in an activity based on the caregiver’s actions in accordance with the standard.<sup>70</sup> **Ohio** enacted a similar law in 2014.<sup>71</sup> **Washington State's** 2014 law provides that no background checks are required when the caregiver approves an activity using the reasonable and prudent parent standard.<sup>72</sup>

**Tennessee** limits the use of APPLA for young people under age 16 to kinship placements or “extraordinary individual circumstances,” every child 12 or over must consent before an APPLA can be approved and all APPLA designations must be approved by the agency commissioner.<sup>73</sup> Tennessee’s longstanding use of this policy has contributed to the state having the lowest percentage in the nation of children over age 9 with the case plan of long-term foster care or emancipation.<sup>74</sup>





## Conclusion

Young people face numerous barriers to normal experiences while in foster care. The *Preventing Sex Trafficking and Strengthening Families Act* of 2014 holds promise for profound changes in child welfare systems' policies and practices as they affect young people in foster care. The potential exists for a new framework grounded in normalcy and well-being that ensures that young people in care have age-appropriate or normal growing-up experiences, only rarely and under strict criteria have permanency goals of APPLA and are actively engaged in their case planning beginning at age 14. Some states already have moved forward to apply the law's normalcy provisions and others are poised to do so.

With a commitment to normalcy for all young people in care, and engaging young people in designing policies that promote normalcy, child welfare systems can ensure that young people begin to have the family relationships, experiences and opportunities they need to become successful adults.

*“How are young people in foster care expected to feel normal as adults If we have been treated abnormally all of our lives?” — Crystal<sup>75</sup>*

# appendices

## Appendix A: Florida State Department of Children and Families: Normalcy Guidelines<sup>76</sup> Excerpts

As appropriate permit and encourage young people in foster care to:

- engage in appropriate social activities;
- obtain employment;
- have contact with family members;
- have access to the telephone;
- have reasonable curfews;
- travel with other youth or adults; and
- participate in extracurricular activities.

Support young people in efforts to learn to drive a car and obtain a driver's license

Provide opportunities for young people to learn skills needed for their adult roles:

- Food management
- Money management
- Consumer awareness
- Personal hygiene and appearance
- Housekeeping and personal belongings
- Transportation
- Job-seeking
- Interpersonal relationship-building

Provide young people with training and information concerning:

- drug and alcohol use and abuse;
- teen sexuality issues;
- runaway prevention;
- health services;
- community involvement;
- knowledge of available resources; and
- legal issues and knowledge of legal rights.

Afford young people with every opportunity to socialize and have normal life experiences, including permission to attend overnight or other planned outings as determined by the licensed out-of-care provider.

Depending on the individual child's age, maturity level and ability to make appropriate decisions, allow young people to take part in activities without supervision, such as dating, part-time employment, baby-sitting, arriving home after school and social outings with friends.

Encourage and assist young people in participating in activities that promote personal and social growth, self-esteem and independence. Activities include:

- having his or her picture taken for publication in a newspaper or yearbook;
- receiving public recognition for accomplishments;
- participating in school or after-school organizations or clubs; and
- participating in community events.

Provide each young person with an allowance no less frequently than each month with the expectation that the out-of-home provider will not expect the young person to use this allowance for purchasing personal hygiene items, school supplies or other necessities.

## **Appendix B: Texas Department of Family and Protective Services: Normalcy Activities for Children<sup>77</sup> Excerpts**

### **SLEEPOVERS**

**Q: Can children spend the night at a friend's house?**

Yes. Spending the night at a friend's house can be an exciting experience for a child. The caregiver and Child Protective Services (CPS) worker should discuss whether the child is ready to spend the night away from home, if it is appropriate for the child's developmental level and assess whether the friend's home meets the "prudent parent standard." In addition, it is important that the child and caregiver discuss and agree on any expectations for the overnight visit and what to do if they are uncomfortable during their visit.

**Q: If a child spends the night at a friend's house, is a background check needed on the friend and his or her family?**

No. A background check is not required if a child spends the night at a friend's house.

**Q: If a child wants to have a friend come visit the foster home or spend the night, is a background check required?**

No. A background check is not required unless there is reason to believe the child who is visiting has a criminal history. As conservators and caregivers of a child or youth, the "prudent parent" standard should be applied in making these decisions.

#### PART-TIME EMPLOYMENT

##### Q: Can a child have a job?

Yes. A part-time or full-time job can provide important opportunities for youth to apply the skills that they learn in job readiness and vocational training and engage them in learning essential life skills related to the working environment. The caregiver, CPS worker and youth should discuss the youth's readiness for taking on a job and explore various options that allow learning in a workplace.

#### EXTRACURRICULAR ACTIVITIES

##### Q: Can a child participate in extracurricular activities?

Yes. It is encouraged that children participate in extracurricular activities to the extent that the caregiver and CPS worker feel the specific activity is appropriate for the child's developmental level.

##### Q: Can a child date or attend the prom?

Yes. Caregivers can help youth understand healthy dating practices by assisting with recognizing healthy and unhealthy behavior, developing coping skills for addressing jealousy and anger, recognizing when a relationship may no longer be working and knowing how to end a relationship. The prom can feel like a rite of passage for young people and the high school prom is usually the first formal event in the lives of young people. Attending the prom can be both exciting and stress-producing but can also provide an opportunity for youths, caregivers and peers to collaborate in planning for the event and communicating about logistics, behavior and contingencies.

#### DRIVING A CAR

##### Q: Can a child take driver's education classes and/or get a license?

Yes. Youths can take driver's education classes and/or get a driver's license, although logistically, it may be difficult given the costs of driver's education, car insurance and a vehicle. To help with the cost of the driver's license, caregivers, in collaboration with youth, may receive a driver's license fee waiver through the local Department of Public Safety Office. Foster parents should remember that if they are teaching the youth to drive, they should be the only passenger in the vehicle. Caregivers should ensure that youth understand the importance of safe driving behavior and there are many resources for caregivers and teens to access to reinforce the rules of the road. Finally, caregivers, the youth and the CPS worker should discuss the child's maturity level and consider issues that may need to be considered that may need to be documented in the youth's service plan before driving a vehicle.



## Appendix C: Washington State Department of Social and Health Services<sup>78</sup>

### Excerpts from Caregiver Guidelines for Foster Childhood Activities to Assist in Caregiver Decision Making

A “normal childhood activity” includes “extracurricular, enrichment and social activities and may include overnight activities outside the direct supervision of the caregiver for a period of over twenty-four and up to seventy-two hours.” RCW 74.13.710

Child Activity Category	Green: Examples of Normal Childhood Activities Caregiver Can Approve Independently	Red: Examples Childhood Activities That the Children's Administration Must Approve or Obtain a Court Order
Family Recreation (Children should be closely supervised and use appropriate safety equipment for water activities.)	Movies Community events Family events (less than 72 hours) Camping (less than 72 hours) Hiking Boating wearing a lifejacket Swimming Biking using a helmet Other sporting activities using appropriate protective gear River tubing River rafting	Any event or activities over 72 hours
Social/Extracurricular Activities	<b>Less than 72 hours:</b> Camps Field trips School-related activities Youth organization activities Sports activities Community activities Social activities with peers Spending the night away from the caregiver's home	<b>More than 72 hours:</b> Camps Field trips School-related activities Youth organization activities Sports activities Community activities Social activities with peers Spending the night away from the caregiver's home
Motorized Activities	Children and caregivers must comply with all laws and use appropriate protective/safety gear Children <i>riding in</i> a motorized vehicle with an adult, including but not limited to: <ul style="list-style-type: none"> <li>• Snowmobile</li> <li>• All-terrain vehicle</li> <li>• Jet ski</li> <li>• Tractor</li> </ul> At least 14 years old <i>operating</i> motorized equipment or vehicle including but not limited to: <ul style="list-style-type: none"> <li>• Lawn mower</li> <li>• Snowmobile</li> <li>• All-terrain vehicle</li> <li>• Jet ski</li> <li>• Tractor</li> </ul>	Children under 14 are not permitted to operate motorized equipment or vehicles (e.g., lawn mower, motorcycle)

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