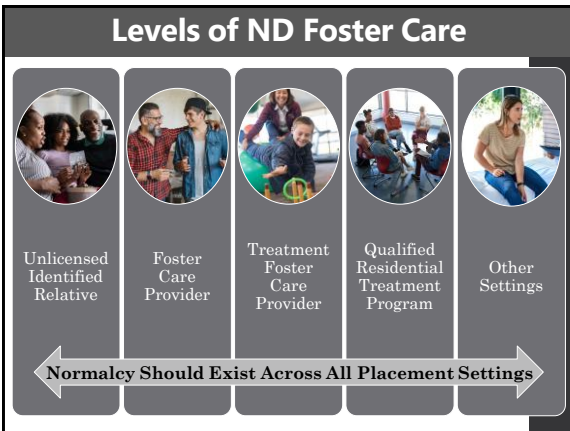




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5



6

Preventing Sex Trafficking and Strengthening Families Act

Federal Public Law 113-183, Preventing Sex Trafficking and Strengthening Families Act, was passed **September 29, 2014**.

- ❖ **Federal Changes required North Dakota to:**
 - ✓ Support normalcy for all children in foster care (Family and QRTP levels of care)
 - ✓ Incorporate immunity for providers following normalcy policy
 - ✓ Define parameters to identify and track victims of sex trafficking
 - ✓ Incorporate youth rights

- ❖ **Federal changes impacted law, rule and policy:**
 - ✓ Update NDCC 50-11 to incorporate "immunity" into law for foster care providers offering normalcy to children in foster care. **Effective August 1, 2015**
 - ✓ Update ND Foster Care Policy Chapter Permanency Planning 624-05
 - ✓ Update ND Foster Care Policy Chapter Foster Care Licensing 622-05



7

Reasonable & Prudent Parent Standard

Federal regulation and ND policy reiterates the importance of all foster care providers to follow the reasonable and prudent parent standard.

Impact of the Law:

1. Children!
2. Family foster care providers must engage in reasonable and prudent parenting, and must be granted immunity per NDCC 50-11
3. Qualified Residential Treatment Programs (QRTP's) must also appoint a staff person to be in charge of assuring that children in placement receive ongoing normalcy opportunities per NDAC 75-03-40.



8

Goals Of The Regulation

1. Provide children in foster care a "normal" life experience.
2. Empower foster care providers to encourage children to engage in extracurricular activities that promote well-being.
3. Allow foster care providers ability to make reasonable parenting decisions without always having to wait to obtain additional permissions from the custodial case manager.
 - ✓ Field trip permissions
 - ✓ Attendance at school functions
 - ✓ Participation in carpools
 - ✓ Attending a birthday party of a classmate



9

Reasonable & Prudent Parent Standard

“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 participating in extracurricular, enrichment, cultural, and social activities.



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Normalcy

“Normalcy” means giving children in foster care the **opportunity** to engage in typical growth and development. This includes the participation in age appropriate activities, responsibilities and life skills.



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11

What is Normal?



12

How Many of You.....

1. Ate supper at a dinner table every night?
2. Played on a sports team when you were a child?
3. Went to a basketball game with friends without your parents?
4. Had a holiday with family members at grandma's house?
5. Made your own doctor appointments when you were 14,16, 18 years old?
6. Babysat other people's children before you were 13 years old?
7. Washed your own laundry before you moved out of the house?
8. Have had your adult children come home to "visit" and they "stayed"?
9. Have paid a bill for your child who is now over age 18?
10. Went out of town with friends for the weekend?

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13

Normalcy Stakeholders

Who needs to know about 'Normalcy'?

- Children in Foster Care
- Custodial Case Managers
- Birth Parents
- Foster Care Providers
- Child Placing Agencies/Licensing Agencies
- Schools
- Child's legal representation
- And

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Impact of Offering Normalcy

How do Stakeholders Positively Impact 'Normalcy'?

- Understand the intent of offering 'Normalcy'
- Communicate the concept of 'Normalcy'
- Being able to 'practice' Normalcy
- Encourage children to participate in 'normal' experiences
- Educate and support providers to engage the child in normal childhood experiences
- Understand the connections and stability of "normalcy"
- Understand children in foster care should have the same benefits.

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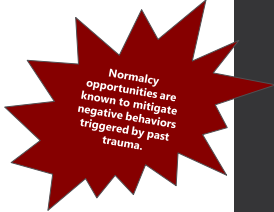
15

Understanding The Importance

It is imperative that stakeholders understand their obligation to provide 'normal' childhood experiences to children in foster care!

Providers are asked to keep in mind:

- Age Appropriate
- Developmentally Appropriate
- To offer cognitive/developmental growth
- To achieve social and emotional growth
- To participate in physical activity
- To receive education



16

What to Consider?

When applying normalcy standards, it is important to consider:

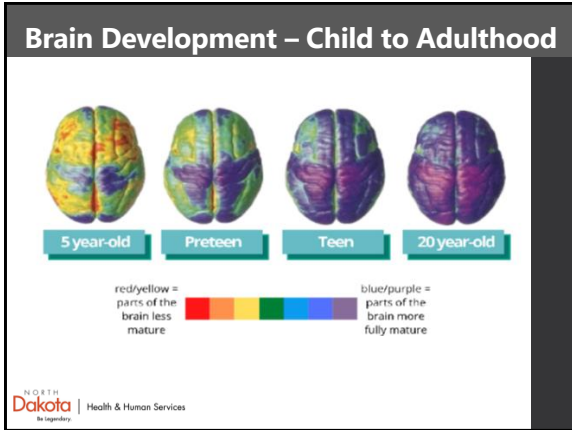
- The child's age, maturity and developmental level;
- Potential risk factors of participating in the activity;
- The child's best interest;
- Whether or not the activity will encourage the child's emotional and developmental growth; and
- Whether or not the activity will offer the child a family-like living experience.

17



Brain Development

18



19

Brain Development

Executive Functioning Skill Development by Age

	5-7	8-10	11-13	14-17	18-21	22-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80
ADAPT TO NEW SITUATIONS	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities	...to new situations, people, places, and activities
WORKS WITH OTHERS	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group	...with others in a group
EMOTIONAL REGULATION	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions	...to regulate emotions
PROBLEM SOLVING	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems	...to solve problems
ORGANIZATION	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks	...to organize tasks
PLANNING	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead	...to plan ahead
INFORMATION PROCESSING	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information	...to process information
SELF-MANAGEMENT	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself	...to manage oneself

20

Erickson's Stages of Development

Stage	Basic Conflict	Important Events	Key Questions to be answered
Infancy (0 to 18 months)	Trust vs. Mistrust	Feeding/ Comfort	Is my world safe?
Early Childhood (2 to 3)	Autonomy vs. Shame and Doubt	Toilet Training/ Dressing	Can I do things by myself or need I always rely on others?
Preschool (3 to 5)	Initiative vs. Guilt	Exploration/ Play	Am I good or bad?
School Age (6 to 11)	Industry vs. Inferiority	School/ Activities	How can I be good?
Adolescence (12 to 18)	Identity vs. Role Confusion	Social Relationships/ Identity	Who am I and where am I going?
Young Adult (19 to 40)	Intimacy vs. Isolation	Intimate Relationships	Am I loved and wanted?

21

Age & Developmentally Appropriate?

- Attending a school event unsupervised =
- Joining a school sponsored club =
- Trying out for the basketball team =
- Volunteering at overnight church camp =
- Having your own room =
- Possessing your own cell phone =
- Using the internet unsupervised =
- Going for a walk alone =
- Staying home alone =
- Going to the mall with friends =



Age 15 Female
Yes or No






22

Child Vulnerability


ND Safety Framework Practice Model requires case managers to assess for vulnerability when completing a present danger or impending danger assessment. Judgment about child vulnerability is based on the capacity for self-protection.

Self-protection refers to being able to demonstrate behavior that:

1. Results in defending oneself against threats of safety; and
2. Results in successfully meeting one's own basic (safety) needs.

Children are either vulnerable to threats to safety or they are not.




23

Child Vulnerability

ND Safety Framework Practice Model requires case managers to assess the child's vulnerability. Note the age of a child is important and all children from **birth to six years** old are always vulnerable. The following will assist in judging child vulnerability, regardless of age:

- **Physical Disability:** Children who are unable to remove themselves from danger are vulnerable.
- **Mental Disability:** Children who are cognitively limited are vulnerable (recognizing danger, trust).
- **Provocative:** A child's emotional, mental health, behavioral challenges can be such that they irritate/provoke others to act.
- **Powerless:** Children who are highly dependent and susceptible to others are vulnerable.
- **Defenseless:** Children unable to defend themselves against aggression is vulnerable.
- **Non-Assertive:** Children who are so passive or withdrawn to not make their basic needs known is vulnerable.
- **Illness:** Children have continuing or acute medical problems and needs that make them vulnerable.
- **Invisible:** Children who are isolated and/or no one sees are vulnerable.
- **Previously Maltreated:** Children exposed to chronic and pervasive trauma are especially vulnerable to the impact of subsequent trauma.



24



25

Reasonable and Prudent Parenting

North Dakota Human Service Zone Directors and subcommittee members met to determine what North Dakota custodians may consider HIGH RISK vs. Daily permission items.

SFN 1040: <https://www.nd.gov/eforms/Doc/sfn01040.pdf>
Reasonable and Prudent Parenting Consent

Tribal Nations and Division of Juvenile Services may have different requirements and approval procedures.

All public agencies are welcome to use the SFN 1040 for children placed into licensed foster care provider homes.

26

What Activities Do Children Request?

Children request permission to participate in various activities. Requests that seem "normal" to youth may include:

- Extra-curricular activities (participate in school sports, band, theater, etc.)
- School related activities (attend a dance, ball game, field trip, etc.)
- Working – Babysitting
- Staying up late
- Using the internet – social media
- Driving
- Attending Summer Camp (Sports, Boy Scouts.)
- Riding in a vehicle with others
- Vacations (in-and-out of state)
- Haircuts/ tattoos/piercings
- Operating an ATV or snowmobile
- Using a cell phone
- Watching television
- Dating
- Playing video games
- Skiing
- Sleepovers
- Boating
- Hunting
- Rodeo

27

Normalcy Considerations?

It may be age appropriate and "normal" for a 14-year-old to go to a school football game without parental supervision.

It may not be age appropriate and "normal" for a 14-year-old to go to a school football game without parental supervision.

- *What if a child has risky behavior?*
- *What if the child has history of runaway?*
- *What if the child has regular school truancy issues?*

You may decide to let the child watch the game with friends, but that you stay and supervise from a distance (sitting in parent section)!

Activity attendance is a privilege, not a right!



31

Questions Providers Should Ask?

Providers utilizing the reasonable & prudent parent standard question:

- ❖ Was this activity on the SFN 1040, did I talk about it with the custodian?
- ❖ If appropriate, has the biological parent/s been consulted?
- ❖ Does the activity promote the child's social development?
- ❖ Will the activity encourage "normalcy" for the child?
- ❖ If the child has medical needs; will the child be able to tell others how to help them if I am not there?
- ❖ Do I know who will be at the activity?
- ❖ Do I trust the child will remain safe if I let him/her go?



32

Questions Providers Should Ask?

Providers utilizing the reasonable & prudent parent standard question:

- ❖ Has the child shown maturity in decision making abilities?
- ❖ Would I allow my own child to participate in the activity?
- ❖ Who will also be attending or participating in the activity?
- ❖ Will the timing of the activity interfere with a scheduled sibling or parent visit, therapy or medical appointment? If so, other options to accommodate the activities and family engagement/ treatment will need to be pursued.
- ❖ Does the child in foster care understand the set expectations regarding curfew, approval for last minute changes to the plan and the consequences for not complying with the expectations?



33

Normalcy ~ Children in Pictures

34

Normalcy ~ Children in Pictures

POSITIVES/STRENGTHS

- Photos are normal
- Photos are easily captured today with cellphones
- Photos are helpful for parents
- Photos can support parent/child relationships
- Photos help a child remember certain life events

CHALLENGES

- Photos need to be agreed upon
- Photos can cause sadness
- Photos can cause jealousy

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Normalcy ~ Children in Pictures

Custodial agents have the final decision on if a child in foster care can be photographed or have their photos shared/posted. If approved, the child's identity/status of being in "foster care" must be kept confidential!

School Yearbook

- Appropriate = Mary Smith
- **Not appropriate** = Mary Smith, child in foster care

Sports Section of Newspaper

- Appropriate = "Mary Smith Kicks the Knights into the State Finals"
- **Not appropriate** = "Mary Smith a child in ND foster care, overcomes all odds kicking the game winning goal for the Knights"

FACEBOOK Post

- Appropriate = Enjoying the sunshine!
- Appropriate = SNOW Much Fun at the Park!
- **Not appropriate** = Look how cute our new foster son, Johnny, is!

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36

Is Posting Appropriate or Not?

When in doubt... Talk it out!

- Go with your gut
- Consider the parent's feelings
- Consider the child's feelings
- Consider overall safety
- Parents and Custodians decide



37

Is Posting Appropriate or Not?



Trick or Treat from our 3 Goblins + 4 little extras

What is more noticeable?

What feels more normal?



Neighborhood Fun.... Happy Halloween

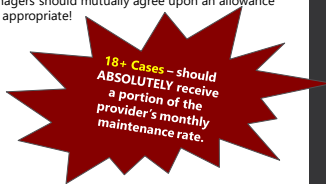
What makes people ask more questions?



38

Normalcy ~ Child Allowance \$

- Roughly \$1,050/month for a child age 13+.
- Earning an allowance is normal \$\$\$\$ ~ Children in foster care can receive an allowance!
- What are children doing today that would highlight the need to receive an allowance?
 - ✓ Chores to bolster independent living skills?
 - ✓ How much are they earning?
 - ✓ Where is the money going --- savings, pocket, etc.
- Foster care providers and case managers should mutually agree upon an allowance amount for a child in placement, if appropriate!



39

Normalcy ~ Sleepovers

Reasonable & Prudent Parenting:

- Knowledge is key - Talk to the friend's parents!
 - ✓ What time can I drop off and pick up?
 - ✓ Who is going to be home?
 - ✓ What are the evening plans?
- If plans change, reinforce the rule is to call you **BEFORE** going/doing/etc.
- Exchange phone numbers with supervising adult/parents.
- Develop a code word with the child. If things become uncomfortable for the child, it is ok to **CALL** you to get picked up!
 - ✓ Child: "Calling to tell you, I'm sorry I forgo to feed the cat."
 - ✓ Provider: "Oooh that is ok, but I am so glad you called. Your sister is not feeling well and I could really use you at home to help with the others. Can I come get you in a few minutes?"



40

Normalcy ~ Dating

Reasonable & Prudent Parenting:

- Knowledge is key - Talk to the date!
 - ✓ What time will you be dropping her off?
 - ✓ Will anyone else be joining you?
 - ✓ What are the evening plans?
 - ✓ If date is driving, do you have a drivers license?
- If plans change, rule is to call **BEFORE** they go/do.
- Code word--- if things become uncomfortable = **CALL!**
- Request the friend/dates phone number



41

Normalcy ~ Socializing with Friends

Reasonable & Prudent Parenting:

- Knowledge is key - Get to know the friends
 - Where will you be?
 - Who will be there?
 - What are the plans?
- Confirm transportation.
- Confirm drop off/ pick up times.
- If plans change, rule is to call **BEFORE** they go/do, etc.
- Code word--- if things become uncomfortable = **CALL!**
- Exchange phone numbers.



42

Normalcy ~ Curfew

Reasonable & Prudent Parenting:

- Determine the your house rule for curfew!
- No one size fits all.
- For Example: The age of a child may influence curfew times:
 - Age 14 = 9:00 pm
 - Age 15 = 10:00 pm
 - Age 16 = 11:00 pm
 - Age 17 = 11:30 pm
 - Age 18 = Midnight

Sports and on the road school events may keep children out later than desired.

Be informed of what activities are occurring and make a plan to accommodate.



43

Going Forward

When a Child is Placed in your Home

- Complete the SFN 1040 permissions
- Discuss expectations of case manager and parent/s
- Discuss expectation of provider's house rules
- Discuss what the child's interests are, what he/she would like to do.
- Identify if there are any barriers to engaging in certain activities.

Example: Human Service Zone discussed with the provider they can cross the ND state border in Montana at anytime to go for lunch/supper, shopping, etc. No need to get permission each day. Also, it was decided that it is ok for the provider to sign school field trip permission slips and organize/approve who the child can ride with to and from basketball practice (carpool with neighbor).

However, if the child is overnight out of state... the provider must contact the custodian and seek pre-approval to participate in that activity. Lastly, it is expected that the provider discuss upcoming special events such as white water rafting, jet skiing, or bungee jumping options which may be made available on the class trip.

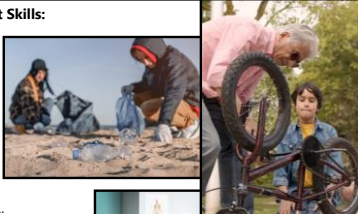


44

Normalcy ~ Recognize Teachable Moments

Help children work on Soft Skills:

- Tone of voice
- Timeliness
- Appropriate Dress
- Responsibility
- Problem Solving
- Respect
- Friendships



Appropriate Touch

- Rough Play/Wrestling
- Hug, Handshake, High Five

Technology Etiquette

- Cell Phone
- Online / Social Media



45

Normalcy ~ Recognize Teachable Moments

When appropriate, provide children with support and **hands on learning experiences**:

- ✓ Grocery shopping
- ✓ Budgeting / using an ATM
- ✓ Washing clothes
- ✓ How often to change bedding
- ✓ Proper house cleaning
- ✓ Changing a car tire
- ✓ Cooking a meal
- ✓ Quick snacks
- ✓ Changing a baby's diaper

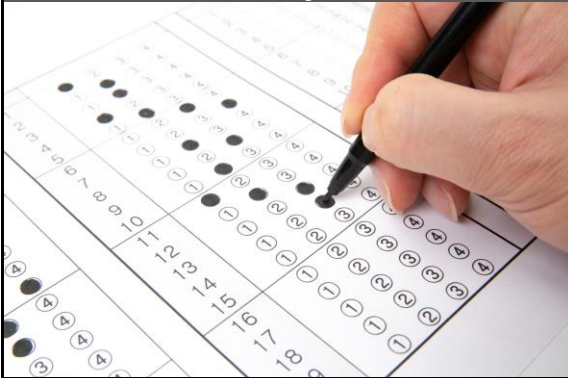


For those over age 14, discuss opportunities with the case manager and ask for a referral to the Chafee Transition Program!



46

Normalcy Quiz



47

Normalcy Quiz

Transfer of learning on the training of the new Federal and State Laws that provide normalcy. For each of the following, choose if the statement about reasonable and prudent parenting is either TRUE or FALSE. In these statements the term "foster care" is inclusive to children under the court ordered custody of a public agency placed in a foster family home, home of relatives, pre-adoptive homes, emergency shelters, or residential facilities.

1. Children in foster care are allowed to attend a sleepover only if background checks have been completed on all of the adults in the household hosting the sleepover. **True/False**
2. Children in foster care are allowed to participate in extracurricular activities associated with school or other organizations. **True/False**
3. There is a uniform "curfew" for children in foster care that is different from that established for children not in foster care. **True/False**
4. Children in foster care are allowed to own a cell phone. **True/False**
5. Children in foster care are not allowed to participate on Facebook. **True/False**
6. Children in foster care are able to get their driver's license. **True/False**
7. Children in foster care are not permitted to have a job. **True/False**



48

Normalcy Quiz

8. Children in foster care are not allowed to get a hunting license. **True/False**
9. Decisions exercised using the reasonable and prudent parent standard cannot conflict with any applicable court order or service plan. **True/False**
10. Children in foster care are not allowed to date. **True/False**
11. When a provider has any questions or concerns, they should consult with the child's custodial agency or licensing specialist. **True/False**
12. Children in foster care are not allowed to travel out of state. **True/False**
13. Children in foster care are able to have unsupervised visits with family/friends. **True/False**
14. Children in foster care, including children placed in residential treatment, are allowed to participate in independent living services. **True/False**
15. ND Chafee Program is a voluntary program which provides services and support enabling youth to successfully transition to living independently. **True/False**

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Normalcy Quiz

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50

Normalcy Quiz

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51

Training Resources

1. National Institute Of Mental Health; Paul Thompson, Ph.D. UCLA Laboratory of Neuro Imaging slide
2. Executive Functioning Skill Development by Age: www.lifeskillsadvocate.com
3. Erickson's Psychological Stages of Development: www.dannybarrantes.com
4. 622-05 Foster Care Licensing Policy
5. 624-05 Permanency Policy
6. NDCC 50-11
7. NDAC 75-03-14
8. NDAC 75-03-40

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53

Thank you

If you have any questions regarding this training, please contact your local foster care licensing agency.

CFS Licensing Unit
701-328-2322
cfslicensing@nd.gov

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54